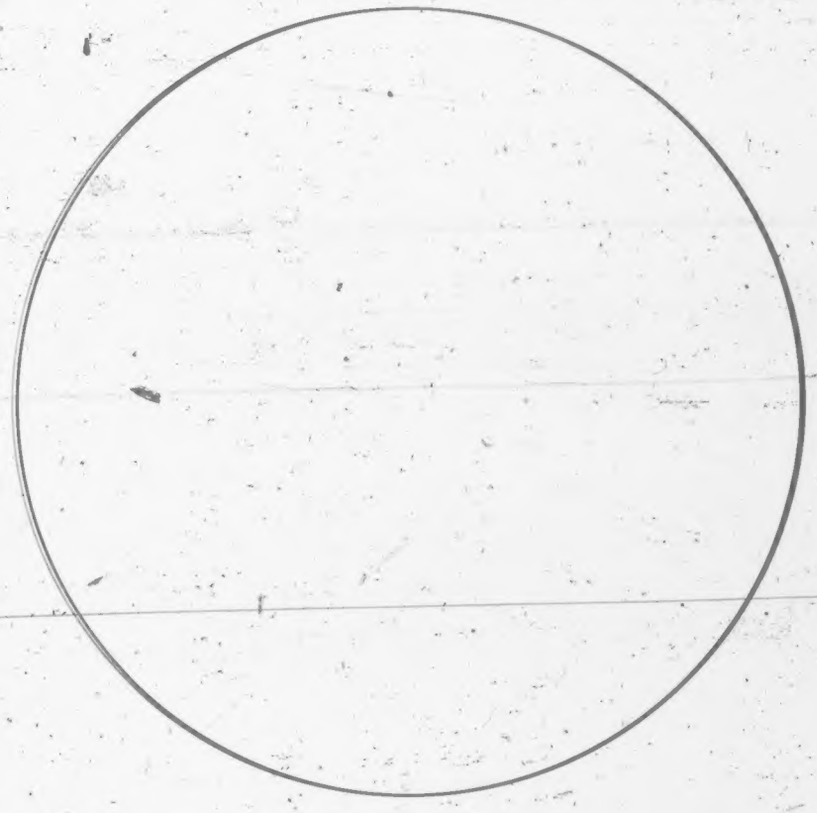
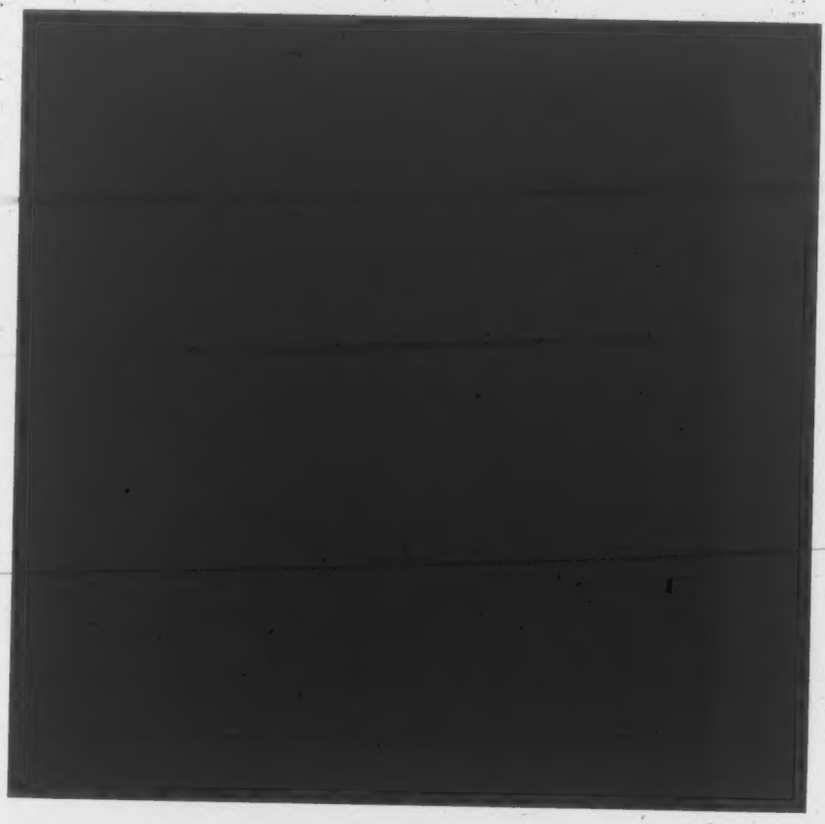


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APPLICATIONS FOR ENROLLMENT OF THE

COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

ROLL 247

CHEROKEE BY BLOOD 10076 - 10127

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1983

Cher 10076

Etta Hunt

Trans. from R300
" " D649

Cher 10076

FILED
OCT 22

Applicant REJECTED.
Children DOUBTFUL.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MOWATA, I.T., OCTOBER 19th, 1900.

In the matter of the application of Etta Hunt for the enrollment of herself and children as citizens of the Cherokee Nation, said Hunt being sworn by Commissioner T. B. Breckinridge, testified as follows:

Q Give me your full name? A Etta Hunt.
Q How old are you? A 25.
Q What is your post office? A Mowata.
Q Do you live in Cooweescoowee district? A Yes, sir.
Q Who is it you want to have put on the roll? A Myself and two children.
Q Are you Cherokee by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A Always.
Q All your life? A Yes, sir.
Q Give me the name of your father? A William Butler.
Q Is he dead or alive? A He is dead.
Q Give me the name of your mother? A Mary.
Q Is she dead or alive? A Dead.
Q When were you married? A I have been married ten years.
Q To whom were you married? A James Purdue.
Q Have you been married more than once? A Yes, sir.
Q Married first to James Purdue? A Yes, sir.
Q Was he a white man or Cherokee? A Cherokee.
Q Is he dead or alive? A Dead.
Q When did he die? A Been two years.
Q Have you married since that? A Yes, sir.
Q What is your present husband's name? A S. M. Hunt.
Q Is He a white man? A Yes, sir.
Q Give me the names of your children? A Elizabeth.
Q How old is that child? A Eight years old.
Q Give me the name of the next one? A William Henry.
Q How old is that child? A Seven years.
Q Both named Purdue? A Yes, sir.
Q Both living now? A Yes, sir.

1880 enrollment; page 740, #294, Wm. R. Butler, Tahlequah.
1896 enrollment; page 319, #777, Etta Perdue, Cooweescoowee.
1896 enrollment; page 228, #3644, James Perdue, Cooweescoowee.

Q How old was your husband, Purdue, when he died? A I guess about 30.

1880 enrollment; page 712, #935, James Purdue, Sequoyah.

Q Have you a certificate of your marriage to your last husband?
A No, sir.

1896 enrollment; page 228, #3645, Addie Purdue, Cooweescoowee.
1896 enrollment; page 228, #3646, Wm. H. Purdue, Cooweescoowee.

Q Was your first husband ever married except to you? A No, sir, not as I know of.
Q He was your first husbadn? A Yes, sir.
Q You have only been married these two times? A Yes, sir.
Q Is your present husband a white man? A Yes, sir.

Com'r Breckinridge:--The applicant applies for the enrollment of herself and two childre: She applies as a Cherkee by blood. She is 25 years of age. She is not identified on the roll of 1880. She states that her mother died 24 years ago. Her father is identified on the roll of 1880 with the applicant's stepmother. There is a lack of evidence that her mother was a Cherokee or regularly married to her father. The applicant is identified under the name of her first husband on the roll of 1896 as an intermarried white. The husband she claims at this time is identified on the roll of 1880 as a native Cherokee, and he is identified with her on the roll of 1896. He is now dead.

Etta Hunt--2.

The applicant has since married since her first husband's death to a white man. She therefore has lost her right of enrollment as a and the application for her enrollment will be REJECTED.

The two children named in the testimony are identified on the roll of 1896, with their parents. They will now be listed upon a doubtful card as Cherokees by blood, to await a certificate of marraisge between the applicant and her first husband. Both children are living at this time.

---oooOOOooo---

J. O. Kopson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Kopson

Subscribed and sworn to before me this 19th day of October, 1900.

Commissioner.

R 300

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 19 1900

ACTING CHAIRMAN

COOWEESCOOWEE.

CHEROKEES BY BLOOD AND ADOPTION.

Date ... 19 1900 ... 1900.

Name Nowata 2 1

District ... Year ... Page ... No. ...

Citizen by blood ... Mother's citizenship Pigeon

Intermarried citizen ... Date of marriage ...

Married under what law ... Certificate ...

License 26

Wife's name Ella Lewis

District COOWEESCOOWEE Year 1896 Page 219 No. 777

Citizen by blood ... Mother's citizenship Wm Potter — 2

Intermarried citizen ... Fanny — 2

Married under what law ... Date of marriage ...

License ... Certificate ...

Names of Children

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

Pigeon

Lewis

On 1896 Rolls as Ella Pierce

D644

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 19 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 19 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

~~Wife's name~~

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Elizabeth Dist. Year Page 228 No. 3645 Age 8

3 William H. " Dist. Year " Page 228 No. 3646 Age 7

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

2 " " " Eddie L. "

3 " " " Wm H. "

Art. of marriage & Parents to be submitted

Supl.-C.D.#649.

Department of the Interior
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL in the matter of the enrollment of ELIZABETH PERDUE, ET AL., as citizens of the Cherokee Nation:

The applicant's mother, Etta Hunt, was notified by registered letter February 15, 1902, that her application for the enrollment of her two children, Elizabeth and William H. Perdue, would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 6th day of March, 1902, and that she might on said day appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her application. Receipt has been acknowledged of Commission's letter. The applicant having this day been called and failing to respond either in peron or by attorney, it is directed that the same be closed, and theat the same be reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

J.G.R.

By ..... Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 14 190 .2

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of James Purdue as citizen of the Cherokee Nation.

Commissioner.

CERTIFICATE OF TRUE COPY.

UNITED STATES OF AMERICA
INDIAN TERRITORY
Northern District.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a Chattel Marriage License filed in my office on the 27" day of April 1891.

Witness my hand and seal of said Court at Muscogee, in said Territory, this 21st day of April, A.D. 1902.

(SEAL) (Signed) Chas A. Davidson
Clerk and Ex-officio Recorder.

By (Signed) R. D. Owen,
Deputy Clerk.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Wm Nelson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 27th day of April 189 1 at M., and duly recorded in Book A, Marriage Record, Page 367.

WITNESS my hand and seal of said Court at Muskogee in said Territory.

this 27th day of April A. D. 189 .1

(Signed) Wm Nelson Clerk.

By Deputy.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 14 190 .2

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of James Purdue as citizen of the Cherokee Nation.

Commissioner.

CERTIFICATE OF TRUE COPY.

UNITED STATES OF AMERICA
INDIAN TERRITORY
Northern District.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a Chattel Marriage License filed in my office on the 27th day of April 1891.

Witness my hand and seal of said Court at Muscogee, in said Territory, this 21st day of April, A.D. 1902.

(SEAL) (Signed) Chas A. Davidson
Clerk and Ex-officio Recorder.

By (Signed) R. D. Owen,
Deputy Clerk.

(17)

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss. No. 521

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. James Purdue, of Tahlequah, in the Indian Territory, aged 22 years, and Miss Ettie Butler, of Tahlequah, in the Indian Territory, aged 16 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 15th day of April, A. D. ~~18~~1891

(Signed) Wm Nelson
Clerk of the U. S. Court.

By (Signed) Wm R. Shackelford Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, H. C. Barnes, a Mayor Town Tahlequah ~~, a Minister of the Gospel, Do Hereby Certify~~, that on the 17 day of April, A. D. 189 1, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 17th day of April A. D. 189 1

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book , Page .

(signed) H. C. Barnes.
~~A Minister of the Gospel.~~
A Mayor, Town Tahlequah.

Cherokee R 300

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Etta Hunt for her enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N

The record herein shows that on October 19, 1900, Etta Hunt appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment, among others, of herself as a citizen by blood of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Etta Hunt is the daughter of one William Butler, a citizen by blood of the Cherokee Nation. Etta Hunt is identified on the Cherokee Census roll of 1896, and she is described thereon as an intermarried white. This identification is, apparently, an error, as there is no dispute that she is the daughter of said William Butler, who is identified on the authenticated tribal roll of 1880 as a Cherokee by blood.

The evidence further shows that the said Etta Hunt has resided in the Cherokee Nation all her life.

It is, therefore, the opinion of this Commission that Etta Hunt should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this JAN 15 1903

1176

Cherokee 10076.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., May 8, 1903.

In the matter of the application of Etta Hunt for enrollment as a citizen by blood of the Cherokee Nation.

Etta Robinson, being duly sworn, and examined by the Commission, testified as follows:

Q. What is your name? A Etta Robinson.
Q How old are you? A Twenty-eight.
Q What is your postoffice? A Nowata.
Q Are you a Cherokee by blood? A Well, I can't say that; I am an adopted. My children are Cherokees by blood.
Q You are the daughter of William H. Butler and Mary Butler, are you not? A Yes sir.
Q What was your name when you enrolled, Etta Hunt? A Yes sir.
Q Have you been married recently? A Yes sir, I have been married since ———.
Q When were you married? A About three weeks ago.
Q What is your husband's name? A E. F. Robinson.
Q Is your husband a white man? A Yes sir.
Q He is not a citizen? A No sir.
Q Have you got a marriage certificate with you? A No sir.
Q Did you get one? A I sent by sending home.
Q You send it here when you get home? A Yes sir.
Q What is the date of your marriage? A The nineteenth of last month.
Q This is the first time you have been married? A No sir.
Q Were you married before? A Yes sir.
Q What was your first husband's name? A Jim Purdue.
Q He is dead, is he? A Yes sir.
Q He died before you married this husband? A Yes sir, he was dead before I married Hunt.
Q Was Mr. Robinson ever married before? A No sir.
Q Is Hunt dead? A Yes sir.
Q He died before you married Robinson? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. B. Watson

Subscribed and sworn to before me this 14th day of May, 1903.

Samuel Townsend.
Notary Public.

Cherokee D 649
Cherokee 10076.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elizabeth and William Henry Purdue as citizens by blood of the Cherokee Nation.

ORDER.

The records of this Commission show that on October 19, 1900, at Muskogee, Indian Territory, application was made for the enrollment of Elizabeth and William Henry Purdue, as citizens by blood of the Cherokee Nation, and that said applicants were duly listed for enrollment on Cherokee Doubtful card No. 649.

The records of the Commission further show that said applicants are the children of James Purdue, deceased, and Ittie Hunt; that the said James Purdue, deceased, is duly identified on the Cherokee authenticated tribal roll of 1880, and Cherokee census roll of 1896; that the said Ittie Hunt is included in a partial roll of Cherokees by blood approved by the Secretary of the Interior on May 28, 1903, opposite No. 26737; and that the said applicants herein were born since 1880, have continuously lived in the Cherokee Nation since birth, and are identified on the Cherokee census roll of 1896.

It is, therefore, ordered that the enlistment for the enrollment of Elizabeth and William Henry Purdue, on Cherokee Doubtful card 649 be cancelled, and that said applicants be listed for enrollment on Cherokee Straight card No. 10076.

Commissioner

Dated at Muskogee, Indian Territory,
this JAN 26 1905

Muskogee, Indian Territory, January 25, 1902.

Mrs. Etta Hunt,

Nowata, Indian Territory.

Dear Madam:

You are hereby notified that your application for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes at its offices in Muskogee, Indian Territory, on the 10th day of February, 1902.

It appears from the testimony had in the matter of your application that you are the daughter of William R. Butler, a Cherokee, and Mary Butler, a white woman; that your father is identified on the roll of 1880, and that you are identified on the Strip Payment Roll of 1894 as a Cherokee, and on the Census Roll of 1896 as an adopted white. You are not identified as Etta Butler on the Authenticated Roll of 1880.

It will be necessary for you to establish your right to enrollment as a citizen by blood.

You are therefore requested to appear before the Commission on the date above mentioned and bring with you such additional evidence as will in your judgment affect your case.

Yours truly,

Cherokee No. R.300.

Register. Acting Chairman.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BREGKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1902.

Mrs. Etta Hunt,

Nowata, Indian Territory,

Madam:-

You are hereby notified that the application of Elizabeth and William H. Perdue for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of marriage to James Perdue.

Cherokee D-649
Register.

Yours truly,

Commissioner in Charge.

Cherokee B-668

Muskogee, Indian Territory, May 14, 1902.

Miss Etter Hunt,

Tahlequah, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter bearing no date, enclosing marriage license and certificate of James Purdue and Miss Ettie Butler. The same is returned to you herewith, copies having been made for the Commission's files.

Yours truly,

Acting Chairman.

Encl. B-158.

COMMISSIONERS
HENRY L. DAWES
TAMS B[illegible]
TH[illegible]WAS B. [illegible]
C. R. B[illegible]
A[illegible]SON J. AY[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER ONLY TO THE FOLLOWING

Cherokee D300-
D649

Muskogee, Indian Territory, June 19, 1902.

Etta Hunt,

Nowata, Indian Territory.

Madam:

You are requested to appear before this Commission at its office in Muskogee, Indian Territory, on or before July 5, 1902, and submit further evidence with reference to your birth and parentage. The Commission desires to know whether your mother Mary Butler, who does not appear to be upon the 1880 roll was lawfully married to your father, William Butler. There is an Elizabeth Butler identified on the 1880 roll with your father and the Commission desires to know whether this was your mother or your step-mother.

As the matters here indicated are important in connection with the right of yourself and children to be enrolled you are urged to give the same yourimmediate attention.

Yours truly,

Commissioner in Charge

Register

COPY.

Cherokee R-300.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Etta Hunt for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. E-6.

COPY

Cherokee R.309

Muskogee, Indian Territory, February 3, 1903.

Etta Hunt,

Nowata, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. M-193

Register.




REGIS
INDIANA

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

9029

Ella Hayes

Cher 10077

Elizabeth R. Rogers

Trans. from R361

Cher 10077

To be filed in Cherokee R-361.

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T., October 13th, 1900.

In the matter of the application of Elizabeth R. Rogers for the enrollment of her son, Frederick E. Rogers as a citizen of the Cherokee Nation, and the said Elizabeth R. Rogers, appearing before the Commission and being sworn by Commissioner, T. B. Needleridge, testified as follows:

By the Commission:
Q What is your name? A Elizabeth R. Rogers.
Q How old are you? A Fifty six.
Q What is your Post office? A Claremore.
Q What district do you reside in? A Cooweescoowee.
Q How long have you resided there? A Six years.
Q Where did you live prior to that time? A Ft. Gibson.
Q How long have you lived in the Cherokee Nation? A Fifteen or sixteen years.
Q Where did you live before you came to the Cherokee Nation?
A In Georgia.
Q Do you make application for enrollment as a citizen by blood? A I am not a citizen: I am applying for my little boy, Frederick E. Rogers.
Q You do not apply for yourself? A No sir.
Q How old is your son? A Sixteen years old.
Q Is this child living and living with you? A Yes sir.
Q Where was he born? A He was born in Georgia.
Q He is your own child? A Yes sir.
Q Who is his father? A G. M. Rogers.
Q Was he a Cherokee by blood? A Yes sir.
Q Is he living or dead? A He died last April, the 23rd day.
Q Have you any evidence of your marriage to G. M. Rogers? A I have no certificate, if that is what you mean: We were married thirty or forty years ago back in Georgia.
Q Where were you living at the time of your marriage? A In Georgia.
Q Was your husband admitted to citizenship when he moved to the Cherokee Nation sixteen years ago? A Yes sir.
Q Have you any evidence of that fact? A Yes sir.
Q Is there any one here present who was present at your marriage to Mr. Rogers? A No sir; it was in the City of Atlanta, forty years ago.
Q You have no documentary evidence of your marriage to him? A No sir: We were not remarried when we came to the Cherokee Nation.
Q Was a license issued when you and he were married? A Yes sir.
Q Was George M. Rogers ever married before he married you? A No sir.
Q Were you ever married before you married him? A No sir.

The applicant presents a certificate, issued by the Commission on Citizenship, dated at Tahlequah, on the 24th day of September, 1884, signed by Ely Spears, President; Andrew Ponce, Commissioner. The document is attested by S. D. Fry, Clerk of the Commission; admitting sundry persons to citizenship, among whom appears the name of George Rogers.

Q Is the George Rogers mentioned in this certificate the father of your child, and your husband? A Yes sir.
(1896 Roll, Page 239, #3041, Frederick E. Rogers, Coo.District)
Q What is the exact date of your son's birth? A July 31st, sixteen years ago.

The applicant, Elizabeth R. Rogers, a white woman, applies for the enrollment of her son, Frederick E. Rogers, upon the ground of his child by her deceased husband, G. M. Rogers. She produces a certificate, issued by the Commission on Citizenship, in which it appears

that her husband, George Rogers was admitted to citizenship in the Cherokee Nation, in 1884. She avers that her son was born on the 31st day of July, 1884, two months before said certificate admitting her husband to citizenship in the Cherokee Nation was issued: She presents no satisfactory proof as to her marriage to the said George Rogers; and for this reason, her son, Frederick R. Rogers will be placed upon what is known as a doubtful card, for the further consideration of the Commission; and she is requested to file with the Commission, as soon as possible, a certified copy of the marriage license and certificate, showing her marriage to her deceased husband, George M. Rogers.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Cravens.

Subscribed and sworn to before me this 26th day of October, 1900.

M.D.Green.
Notary Public.

(SEAL).

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the above copy and that the same is a true and correct copy of the original.

E. C. Rathbun

Subscribed and sworn to before me this 26th day of November, 1900.

B O Jones
Notary Public.

REJECTED:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., NOVEMBER 8th, 1900.

In the matter of the application of Elizabeth R. Rogers for enrollment as a citizen of the Cherokee Nation; said Rogers being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Elizabeth R. Rogers.
Q What is your age? A 56.
Q What is your post office address? A Claremore.
Q Are you a recognized citizen of the Cherokee Nation? A Yes,sir.
Q By blood or intermarriage? A Intermarriage.
Q Does your name appear upon any authenticated roll of the Cherokee Nation? A No, sir, I do not think it does unless it is on the 1896 roll. I do not think it is on there at all.
Q What district do you live in? A Cooweescoowee.
Q Is your husband's name George Rogers? A Yes, sir.
1896 Roll; page 321, #835, Elizabeth Rogers, Cooweescoowee.
Applicant:--My husband's name is not on the 1880 Roll.
Q Your husband was admitted after 1880 by the Cherokee authorities?
A Yes, sir.
Q Have you the papers? A Yes, sir. (Presents same.)
Com'r:--Applicant presents a certificate of admission issued from the office of the Commission on Citizenship, Tahlequah, Cherokee Nation, under the date of September 26, 1884; signed by Eli Spears, President, Andrew Young, Commissioner, attested by C. O. Frye, Clerk of the Commission, certifying that Jackson Rogers, his children, Augustus Rogers, George Rogers and children, were admitted to all the rights and privilege of Cherokee Citizenship on the said September 26, 1884. The name of the applicant does not appear in said certificate of admission.
Q Have you any further proof as to your citizenship, Mrs. Rogers, except this? A No, sir.

Com'r Needles:--The name of said applicant is found upon the census roll of 1896. She presenting no proof as to her admission; proof being presented only admitting her husband, George Rogers and children, consequently the applicant of the said Elizabeth R. Rogers for enrollment as a Cherokee citizen by intermarriage will be REJECTED. Proof also showing that she was married to her husband, George Rogers,before he was admitted to Cherokee citizenship.

ADDITIONAL TESTIMONY in this application:
INTERROGATORIES BY W. W. HASTINGS, Cherokee Representative:
Q What was your husband's full name? A George M. Rogers.
Q When were you married to George M. Rogers? A It has been 40 years ago.
Q In Georgia? A Yes, sir, in '60 I believe.
Q What was George Rogers father's name? A Dr. Bob Rogers.
Q What was George Rogers' mother's name? A Her name was Harriet Rogers.
Q What was her maiden name? A Jenks.
Q Which was the Cherokee, George Rogers' father or mother? A The father.
Q You knew them both? A Yes, sir.

---oooOOOooo---

J. O. Rossom being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.
Subscribed and sworn to before me this 8th day of November, 1900.

Commissioner.

R361

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 8 1900

By THE CHAIRMAN

COOWEESCOOWEE.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV - 8 1900 1900.

Name Claremore I.T.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen NOV 8 1900

Married under what law Date of marriage

License Certificate

Wife's name Elizabeth R. Rogers

District COOWEESCOOWEE. Year 1896 Page 321 No. 735

Citizen by blood no Mother's citizenship

Intermarried citizen yes

Married under what law Date of marriage

License Husband admitted Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

On 1896 Roll as Elizabeth Rogers.

To be filed in Cherokee R-361.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 31st 1901.

In the matter of the application for the enrollment of Frederick B. Rogers.

D-4707. Supplemental Testimony.

F. B. Fite, being sworn before Commissioner T. B. Needles, testified as follows—

Q What is your name? A F. B. Fite.
Q What is your age? A 39, about.
Q What is your post office address? A Muskogee.
Q Do you know George M. Rogers? A Yes sir.
Q Do you know his wife, Elizabeth R. Rogers? A I know his wife, I guess that is her name.
Q What do you know about their marriage? A I know that they lived in Cartersville, Georgia, where I used to live, in the '80's, and also have known them after they moved out here. They lived together as man and wife and raised up a family of children there.
Q Have they always been acknowledged in the community in which they lived as man and wife? A Yes sir; they did business with a Mr. Fillner who had a store and for whom I clerked when I was a boy. He was a farmer and had a big farm about a mile and a half from town and bought their supplies there.
Q How long have they lived in the Territory? A Since 1880.
Q Do you know that they lived together as man and wife since coming to the Indian Territory? A Yes sir, I have often been at their place, and waited on them several times.
Q Do you know whether they were legally married or not? A No sir I don't know that.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause, and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

Chas. von Weise.

Subscribed and sworn to before me this the 1st of February, 1901.

T. B. Needles,
Commissioner.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he [redacted] the testimony and proceedings in this case, and that the foregoing is a true and correct [redacted] copy of the original.

D. G. Rothenburger

Subscribed and sworn to before me this 26th day of November, 1902.

B. O. Jones
Notary Public.

[illegible]

Cherokee R-361.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 26, 1902.

In the matter of the application of Elizabeth R. Rogers for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation; she being sworn and examined by the Commission, testified as follows:

Q What is your name? A Elizabeth R. Rogers.
Q How old are you? A Fifty-seven years old.
Q What is your postoffice? A Claremore.
Q Are you an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A Yes sir.
Q What is your husband's name? A George M. Rogers.
Q When were you married to George M. Rogers? A Forty years ago.
Q Where? A In the City of Atlanta, Georgia.
Q When did you and Mr. Rogers come to the territory after your marriage? A I believe it is about seventeen years ago.
Q Mr. Rogers was admitted to citizenship in the Cherokee Nation after you moved here? A Yes sir.
Q You were never remarried after you came here? A No sir, we were not remarried.
Q Had he ever been married before his marriage to you? A No sir.
Q Had you ever been married before your marriage to him? A No sir.
Q Is Mr. Rogers living? A No sir, he has been dead two years last April.
Q Did you and Mr. Rogers live together as husband and wife from the time of your marriage up until his death? A Yes sir.
Q You were never separated during his lifetime? A No sir, never were separated.
Q Have you married since his death? A No sir.
Q You were still a widow and single on the first day of September, 1902? A Yes sir.
Q Have you lived in the Cherokee Nation all the time for the last sixteen years? A Yes sir.
Q Since you and he came from Georgia? A Yes sir, all the time.
Q Do you remember, Mrs. Rogers, who married you and Mr. Rogers? A Yes sir.
Q Who was it? A It was a Baptist preacher named Clarke, the First Baptist Church in Atlanta.
Q Did he give you a marriage certificate? A No sir, we didn't get a certificate at that time: it has been forty years ago. It is different in some places but we didn't get any. We were married by a license.
Q You were married under a license? A Yes sir, just like any other person always married.
Q The certificate was made on back of the license? A It might have been, I didn't notice; I was a very young girl at that time, I wasn't sixteen; it has been a long time ago.
Q You being a white woman it will be necessary to have some proof of your marriage and the Commission requires first the marriage certificate if you have it? A I haven't got it, I will tell you how it was; here at Claremore two years ago when the Dawes Commission was around the children all got there all right except my youngest child, my boy was eighteen years old, and I applied for him at that time; the reason we couldn't get it is because I couldn't get my marriage license and they put him down as doubtful and I brought my witnesses here and he is now all right showing that he was mine and Mr. Rogers' lawful child and have always lived as husband and wife. We have plenty of witnesses.
Q Did you ever write back to Atlanta, Georgia, to the Clerk of the Court? A No sir, I didn't, I don't know who he is, or how. It was burned up after that; it was possible that everything was destroyed, it was burnt up at the time of the Civil War,- the Court House and everything.

2-Elizabeth R. Rogers-

Q You never have had any witnesses to testify in regard to your marriage in your case, Mrs. Rogers? A I know, but I did in the case of the child, and it was perfectly right; they proved us as being lawfully married.
Q What is your son's name? A Frederick R. Rogers. I came down here at Muskogee and had them fix it up right.

It is ordered that a copy of the testimony taken in the matter of the application of Frederick R. Rogers, R-707, be filed with and made a part of the record in this case.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 24th day of November, 1908.

R 361

5th	Jackson Rogers Augustus " Vs. Cherokee Nation	Application for Citizenship By R. B. Harris Atty.

Petition filed September 1st 1894.

Sept 4. Passed

Pass to 20th Sep Passed

Submitted by both parties September 20 194

In the above Case it appearing to the satisfaction of the Commission that said Jackson Rogers and child Augustus Rogers and George Rogers, Ida Rogers, Lula Rogers, Jessie Rogers, W. S. Rogers, Benitus Rogers, Nina Rogers, George Rogers and Ed Rogers

Are Cherokees by blood and are hereby admitted to the full and complete enjoyment of the same

Ed. Spears President
Andrew Young Com.

Attest C. O. Frye.
Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I. T., NOVEMBER 29, 1902.

I, the undersigned, Chief Clerk of the Cherokee [illegible] Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 29th day of November, 1902.

Notary Public.

Cherokee R-361.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Elizabeth R.Rogers as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

--:o:--

The record in this case shows that on November 8,1900, Elizabeth R. Rogers appeared before the Commission at Claremore, Indian Territory, and made application for her enrollment as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 28, 1902. The proceedings had at Claremore, Indian Territory, on October 25, 1900, and at Muskogee, Indian Territory, on January 31, 1901, in the matter of the application for the enrollment of Frederick E. Rogers as a citizen by blood of the Cherokee Nation, Cherokee D-707, are made a part of the record in this case.

The evidence shows that Elizabeth R. Rogers was lawfully married, in 1860, to G. M. Rogers, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 26, 1884. The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Meliana Dawson vs. W. A. Dawson, held that a white woman, married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship. The said Elizabeth R. Rogers is identified on the Cherokee Census Roll of 1896. There is no documentary proof of the applicant's marriage to her said husband, but her own testimony and that of a reputable witness, who knew them as husband and wife prior to their removal to the Cherokee Nation, is considered sufficient to establish the marriage relation.

The evidence further shows that Elizabeth R. Rogers resided in the Cherokee Nation continuously with her said husband from the date of his re-admission to citizenship therein up to and including his death, and subsequent thereto she has continued to reside in the said Nation, and had not remarried up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Elizabeth R. Rogers should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

FILED
MAR 24 1905
COMMISSION TO FIVE TRIBES.

Cherokee-10077.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, March 4, 1905.

In the matter of the application for the enrollment of Elizabeth [illegible] Rogers as a citizen by intermarriage of the Cherokee Nation.

Walter S. [illegible], [illegible], testified as follows:

Q. What is your name? A. Walter S. Rogers.
Q. Are you a Cherokee by blood? A. Yes sir.
Q. What relation is Elizabeth [illegible] Rogers to you? A. She is my mother.
Q. Is she a citizen by blood? A. Yes sir.
Q. Is she living? A. No sir.
Q. She is the person that was a citizen by blood? A. No sir.
Q. Was she married to your father? A. Yes sir.
Q. How long ago? A. 4[illegible] years.
Q. Where were they married? A. In Atlanta, Georgia.
Q. What was your father's name? A. George W. Rogers.
Q. Was he a recognized citizen by blood? A. Yes sir.
Q. Do you know whether your mother was married prior to her marriage to your father? A. No sir, she was never married before she and my father were married.
Q. Was she your father's first wife? A. Yes sir.
Q. When did your father die? A. He died in April --I believe it was the year after the Commission was at Claremore.
Q. Was he enrolled then? A. No sir, I am mistaken about when he died, for he was dead then, and was not enrolled then.
Q. Was your father remarried since his death? A. No sir.
Q. Did your father and mother live together as husband and wife in the Cherokee Nation? A. Yes sir.
Q. How long? A. From 1[illegible] up to the time of his death.
Q. Was there any separation, abandonment or divorce during that time? A. No sir.
Q. What is your mother's physical condition at the present time? A. She is confined to the house, and to her bed most of the time.
Q. Is she a cripple? A. No sir, she has a stomache trouble.
Q. How long has she been that way? A. She has been sick for 1[illegible] years.
Q. Is she unable to go out of the house? A. Yes sir.

W. S. ROGERS.

Eula Jeanes Branson, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 4th. day of March, 1905, and that the above and foregoing is a full and complete transcript of the notes taken in said cause on said date.

Eula Jeanes Branson.

Subscribed and sworn to before me this the 23rd. day of March, 1905.

Myron White.
Notary Public.



FILED
COMMISSION TO FIVE TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, March 4, 1905.

In the matter of the allotment of land to Elizabeth R. Rogers Cherokee Card 10077, and her minor son Frederic B. Rogers, Cherokee Card 9787, Approved Roll No. 21997.

Walter S. Rogers, citizen son, applicant, Cherokee Card No. 4913, being sworn, testified as follows:
Examination by the Commission:

Q What is your name? A Walter S.Rogers.
Q How old are you? A 34.
Q What is your post office? A Claremore, Indian Territory.
Q What is the name of your father? A George M.Rogers.
Q The name of your mother? A Elizabeth Rebecca Rogers.
Q What is your object in appearing at the Land Office today?
A To designate lands for an allotment for my mother, Elizabeth Rebecca Rogers.
Q What was the maiden name of your mother? A Foster.
Q Do you know the given name of her mother or father? A I do not.
Q Is your mother living at this time? A Yes sir.
Q State the reasons why your mother does not make personal appearance and selection? A Has been an invalid for twelve or fifteen years. She is unable to travel to the Land Office.
Q Have you any written authority from your mother to make these designations? A Yes sir.

Applicant offers power of attorney executed by Elizabeth R. Rogers, February 24, 1905, wherein she appoints Walter S. Rogers her attorney for the purpose of selecting lands in allotment in the Cherokee Nation for herself and her minor son Frederic B. Rogers.

Q Are you acquainted with the lands you desire allotted to Elizabeth R.Rogers? A Yes sir.
Q Are there any improvements on the land? A Part of them.
Q Is this land her home place? A Yes sir.
Q Does she live on part of the land at this time? A Yes sir.
Q Has any previous application been made for land for her? A No sir.
Q Do the lands you intend to designate for her lay west of the Grand river? A Yes sir.
Q Your mother is an applicant for intermarried rights in the Cherokee Nation is she? A Yes sir.
Q The power of attorney that you offer also authorizes you to designate lands for Frederic B.Rogers, what relation if any is he to you?
A He is my brother.
Q Full brother? A Yes sir, full brother.
Q How old is he? A Will be 21 the 31st day of July.
Q Not 21 yet? A Not 21, no sir.
Q Are there any improvement on the land you desire to designate for your brother? A Yes sir.
Q Does he reside upon this land? A Yes sir.
Q Any previous application been made for his account? A No sir.
Q Living is he? A Yes sir.
Q This land you intend to designate also lay west of Grand River? A Yes.
Q Is he single? A Yes sir. WITNESS EXCUSED.

Blanch Ashton upon oath states that as stenographer to the Commission to the Five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her notes thereof. Blanch Ashton
Subscribed and sworn to before me this 4th day of March, 1905.

W. T. Hutchens

Notary Public.

CHEROKEE-10077.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 2, 1907.

In the matter of making proof of the marriage of Elizabeth R. Rogers to her Cherokee husband, prior to November 1, 1875.

Walter S. Rogers, being first duly sworn by B. P. Rasmus, a Notary Public, testified as follows:

COMMISSIONER:

Q. What is your name? A. Walter S. Rogers.
Q. What is your age? A. 36.
Q. What is your post office address? A. Claremore.
Q. What relation are you to Elizabeth R. Rogers? A. Her son.
Q. Do you appear here on behalf of her for enrollment as a citizen by intermarriage of the Cherokee Nation? A. Yes sir.
Q. What is the name of the Cherokee citizen through whom Elizabeth R. Rogers claims to derive her right to enrollment? A. George M. Rogers.
Q. When was she married to George M. Rogers? A. I don't remember the exact date.
Q. About when? A. About 45 years ago.
Q. About 1861? A. I believe she was married before the Civil War -- about a year before.
Q. Where was she living at the time of her marriage? A. In Georgia.
Q. How long did Elizabeth R. Rogers and her husband live in Georgia after they were married? A. Until 1886.
Q. Where did they go then? A. They removed to this country.
Q. Have they lived together continuously in the Cherokee Nation since 1886? A. Up to the time of his death.
Q. When did George M. Rogers die? A. In April, 1900.
Q. Was George M. Rogers a citizen of the Cherokee Nation at the time of his marriage to Elizabeth R. Rogers? A. No, he was admitted in 1884.
Q. Had he ever exercised any rights as a citizen of the Cherokee Nation prior to 1884? A. Not that I know of.
Q. Had Elizabeth R. Rogers or George M. Rogers ever been married prior to their marriage to each other? A. No sir.
Q. They lived together continuously from the date of their marriage which occurred prior to the Civil War, up to the time of his death? A. Yes sir.
Q. Has Elizabeth R. Rogers married again since the death of her husband? A. No sir.
Q. Is she living now? A. Yes sir.
Q. Where? A. At Claremore.

(Commissioner -- Applicant is identified upon the 1896 Census Roll, opposite No. 838.)

Witness excused.

Ella James Branson, being sworn, states that she correctly reported the proceedings had in the above and foregoing on the 2nd. day of January, 1937.

Ella James Branson.

Subscribed and sworn to before me, this the 3rd. day of January, 1937.

W. W. Chappell
Notary Public.

E.C.M. Cherokee 10077.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N

THE RECORDS OF THIS OFFICE SHOW: That at Claremore, Indian Territory, October 25, 1900, application was received by the Commission to the Five Civilized Tribes for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Claremore, Indian Territory, November 6, 1900, and at Muskogee, Indian Territory, January 18, 1902, October 28, 1902, March 4, 1905 and January 2, 1907. The records further show that on January 15, 1903, the Commission to the Five Civilized Tribes rendered its decision herein, granting said applicant the right to enrollment as a citizen by intermarriage of the Cherokee Nation.

THE EVIDENCE IN THIS CASE SHOWS: That the applicant herein, Elizabeth R. Rogers, is a white woman and neither claims nor possesses any right to enrollment as a citizen of the Cherokee Nation, other than such right as she may have acquired by virtue of her marriage to George Rogers in the State of Georgia, about the year 1860; that the said George Rogers was not at the time of said marriage a recognized citizen by blood of the Cherokee Nation, and did not become a citizen of said Nation until his admission to citizenship therein, by the duly constituted authorities of said Nation of September 26, 1844. Said applicant, therefore, did not marry a citizen by blood of the Cherokee Nation prior to November 1, 1875. Neither the said applicant herein, Elizabeth R. Rogers, nor her husband, the said George Rogers can be identified on the Cherokee authenticated tribal roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the decision rendered by the Commission to the Five Civilized Tribes, January 15, 1903, granting the application for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation, be rescinded, set aside and held for naught, and that in accordance with the decision of the Supreme Court of the United States dated November 5, 1906, in the cases of Turtle Dad Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, the said applicant Elizabeth R. Rogers, is not entitled, under the proper terms of Section 21 of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as a citizen by intermarriage of the Cherokee Nation, and her application for enrollment as such is accordingly denied.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB 12 1907

C.R.361.

Muskogee, Indian Territory, January 27, 1902.

Mrs. Elizabeth R. Rogers,

Claremore, Indian Territory.

Madam:

When you applied to this Commission on the 8th day of November, 1900, for your enrollment as a citizen by intermarriage of the Cherokee Nation, you testified that you were married to George M. Rogers, your husband, in the State of Georgia in 1860. You presented no certificate of said marriage and you are now requested to procure either a copy or the original license and certificate of your marriage to your said husband and forward same immediately to this Commission.

Yours truly,

Acting Chairman.

Register.

Cherokee R 361

Muskogee, Indian Territory, May 26, 1902.

Elizabeth R. Rogers,

Claremore, Indian Territory.

Dear Madam:

You were notified by registered letter of January 27, 1902, to supply this Commission with either the original or a certified copy of the license and certificate of your marriage to your husband, George Rogers. You have made no response to this letter, and if you desire to be enrolled by this Commission it will be absolutely necessary for you to furnish the evidence required. Your case will be held open until the tenth day of June next for this purpose.

Yours truly,

Acting Chairman.

Register

COPY.

Cherokee R-361.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Elizabeth R. Rogers for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. R-4.

COPY

Cherokee R-361

Muskogee, Indian Territory, February 3, 1903.

Elizabeth P. Rogers,

Claremore, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-2193

Register.

Cherokee
10077

Muskogee, Indian Territory, December 21, 1906.

Elizabeth R. Rogers,

Claremore, Indian Territory.

Dear Madam:

November 6, 1906, the United States Supreme Court held that white persons who intermarried with Cherokee citizens according to Cherokee law prior to November 1, 1875, are entitled to enrollment and allotments of land as citizens of the Cherokee Nation.

You are advised that to properly determine your right to enrollment as a citizen by intermarriage of the Cherokee Nation, it will be necessary for you to appear before the Commissioner for the purpose of giving testimony as to the date of your marriage and whether or not your husband, by reason of your marriage to whom you claim the right to enrollment as a citizen by intermarriage of the Cherokee Nation, was a recognized Cherokee citizen at the time of your marriage to him.

You are, therefore, directed to appear before the Commissioner at Muskogee, Indian Territory, at 9 o'clock A. M., on Wednesday, January 2, 1907, and give testimony as above indicated.

Respectfully,

J.M.H.

Acting Commissioner.

Cherokee 10077

Muskogee, Indian Territory February 12, 1907.

Elizabeth R. Rogers,
Claremore, Indian Territory.

Dear Madam:

There is enclosed herewith copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Enc I-6
MPI
Register.

Cherokee 19877

Muskogee, Indian Territory, February 12, 1907.

W. W. Hastings,

Attorney for the Cherokee Nation.

Muskogee, Indian Territory.

Dear Sir:

There is enclosed herewith copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, rejecting the application for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of the same.

Respectfully,

Enc: E-6

MFL

Commissioner.

Muskogee, Indian Territory, February 12, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of proceedings had in the matter of the application for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation, together with the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, rejecting said application.

Respectfully,

Commissioner.

Enc I-7
EPI

Through the Commissioner
of Indian Affairs.

COPY

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON.

Land
15369-1907.

February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a communication from Commissioner Bixby, dated February 11, 1907, enclosing the record in the matter of the application for the enrollment of Elizabeth R. Rogers as a citizen by intermarriage of the Cherokee Nation, together with the decision of the Commissioner, dated February 12, 1907, adverse to the applicant.

The record shows that Elizabeth R. Rogers, the applicant herein, is a white woman and was married to George Rogers in the State of Georgia about the year 1860; that Rogers was not at that time a recognized citizen by blood of the Cherokee Nation; and that he did not become such citizen until his admission on September 26, 1884.

The Office is of the opinion that the decision of the Commissioner rejecting the application for her enrollment is correct, under the decision of the Supreme Court of the United States in the case of Daniel Red Bird, et al., vs the United States, and it is recommended that it be affirmed.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EWE-D

XP
W.N.M.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I. T. D.
5384, 5386, 5484, 5546,
5700, 5718, 5764, 5766,
5770, 5774, 5994, 6066,
6068, 6116, 6284, 6680,
6710, 6714, 6716, 6730,
6732, 6738, 6760, 6794,
6800, 6818, 6780-1907.

March 2, 1907.

LRS

DIRECT

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Cherokee citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed;

Title of Case.	Date of your letter of transmittal.
John Thomas,	February 2, 1907.
Rachial J. Donegan,	February 2, 1907.
Missouri I. Ross,	February 12, 1907.
William G. Patton,	February 6, 1907.
D.W. Armstrong,	February 10, 1907.
Andrew F. Gowan,	February 10, 1907.
John A. Brown,	February 2, 1907.
John H. Bifford,	February 2, 1907.
Jacob K. Barrow,	February 2, 1907.
Samuel L. Jones, (Jennsen)	February 2, 1907.
George W. Craig,	February 11, 1907.
Jane E. Byrd,	February 10, 1907.
Elizabeth R. Rogers,	February 12, 1907.
Elmer Chester, et al. (freedmen),	February 16, 1907.
John Rogers,	February 10, 1907.

Title of Case.	Date of your letter of transmittal/
Olley Mayney Dunaway, et al.,	February 21, 1907.
Willis Martin, et al. (freedmen),	February 21, 1907.
John Hilgworth Lambert,	February 21, 1907.
Stephen P. Wade,	February 21, 1907.
Michael B. Edmondson,	February 23, 1907.
James Brown,	February 21, 1907.
Charles H. Mason,	February 21, 1907.
Benjamin F. Seagrue,	February 21, 1907.
George W. Scott,	February 21, 1907.
Walker Johnson (freedman),	February 12, 1907.
Elizabeth Lemley,	February 23, 1907.
Charles Levin,	February 13, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E Wilson

Assistant Secretary.

27 enclosures, and
54 enclosures to Ind. Off.,
with carbon hereof.

A J Mc
2-25-07

Cherokee
19077.

COPY

Muskogee, Indian Territory, March 12, 1907.

Elizabeth E. Powers,

Claremore, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Department, March 8, 1907.

For your information, there is enclosed herewith, a copy of Departmental decision referred to.

Respectfully,

SIGNED Tams Bixby.
Commissioner.

Encl.C-35
LMC

Cherokee
10077.

COPY.

Muskogee, Indian Territory, March 12, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 12, 1907, rejecting the application for the enrollment of Elizabeth R. Rogers, as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Department, March 2, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Signed Tams Bixby
Commissioner.

Encl.C-36
LMC

CLAREMO
MAY
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Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

8007

Cher 10078

Frank T. Swift

Trans. from D228

Cher 10078

a-

Department of the Interior,
Commission to the Five Civilized Tribes,
Ft. Gibson, I.T., August 30, 1900.

In the matter of the application of Frank T. Swift for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testifies as follows:

Q What is your full name? A Frank T. Swift.
Q Whatis your age? A Thirty-three years.
Q What is your post-office address? A Muskogee.
Q What district do you live in? A Canadian, my place is.
Q Who is it you want to have put on the roll? A Myself, wife and children; my wife is a white woman.
Q When did you marry her? A About ten years ago.
Q You are a Cherokee by blood are you? A Yes sir.
Q How many children? A Three.
Q You apply for yourself as a Cherokee by blood? A Yes sir.
Q You apply for your wife as a white woman? A Yes sir.
Q How long have you lived in the Cherokee nation? A About eighteen years.
Q How did you acquire your Cherokee citizenship? A By blood.
Q Were you admitted by the Council? A Yes sir.
Q Have you got a certificate of admission? A I think I have a copy here. (Produces papers) I was admitted in 1887.
Com'r Breckinridge: The applicant presents an official trenscript from the records of the Cherokee nation, signed by W. P. Hayes, Executive Secretary, and under the seal of his office, showin that on April 26 1887, among various persons admitted to citizenship by the Cherokee Council, there was admitted one Frank T. Swift; this is accepted as satisfactory proof of the facts as to his admission.
Q The Frank T. Swift mentioned in this certificate is your name is it? A Yes sir
Q Have you lived in the Cherokee nation ever since you were admitted in 1887? A Yes sir.
Q Made your home in the Nation have you? A Yes sir. In the Creek nation, Cherokee Strip and Cherokee Nation.
Q Where have you done your eating and sleeping? A In Muskogee for the last seven or eight years,- about eight years.
Q What do you do there in Muskogee? A I am in the ice and coal business.
Q Regularly engaged in business are you? A Yes sir.
Q And have been for the last seven or eight years? A Yes sir.
Q Your family continued to live with you all the time? A Yessir
Q Are you on the roll of 1896? A Yes sir.
Q Give me your wife's full name? A Nettie Swift.
Q She is a white woman? A Yessir.
Q What was her name before ou married her? A Butler.
Q Was that her maiden name? A Yes sir.
Q How old is she now? A Thirty years.
Q When did you marry her? A I married her in1891.
Q Have you a certificate of marriage? A No, not with me.
Q She has lived with you all the time at your home at Muskogee during the last seven or eight years? A Yes sir.
Q Give me the names of your children? A Crystie, she is eight years old; Frank B., Jr., six yearsold Mabel three years old.
Q Give me the name of your father? A Frank B. Swift.
Q Cherokee or white man? A White man.
Q Dead or alive? A Alive.
Q Name of yourmother? A Martha Swift.
Q Cherokee or a white woman? A Cherokee.
Q Dead or alive? A Alive.
Q Give me the name of your wife's father? A Benj. Butler
Q White man? A Yes sir.

Q Dead or alive? A He is alive.
Q Name of your wife's mother. A I think her name was Caroline or Callie.
Q White woman? A Yes sir.
Q Dead or alive? A Dead.
1896 roll for applicant, page 70 #1931 Frank T. Swift Canadian Dist
1896 roll for wife, page 93 #275 Nellie or Nettie Swift Canadian.
1896 roll for children, page 70 #1932 Cryest Swift, Canadian Dist.
1896 roll page 70 #1934 Frank B. Swift, Canadian Dist.
1896 roll page 70 #1933 Mabel Swift Canadian Dist.
Q These children are all living at this time are they A Yes sir.

GEORGE O. SANDERS, being sworn and examined by Commissioner Breckinridge testifies as follows:

Q What is your full name? A George O. Sanders.
Q What is your age? A Sixty-two.
Q What is your post-office? A Ft.Gibson.
Q You are an uncle to this applicant, Frank T. Swift? A No, not directly, I expect I would be called a grand-uncle.
Q You know him well? A Yes sir.
Q He is a married man is he? A Yes sir.
Q What was his wife's name before he married her? A I don't think I know.
Q What is her given name now? A Nettie.
Q How long has he been married to her? A I expect he has been married to her probably from thirteen to fourteen years.
Q Married a good many years? A Several years.
Q Has he ever had any other wife? A No sir.
Q Have they lived together as husband and wife ever since their marriage? A That's my information.
Q And they are so living at this time? Are they? A Yes sir.
Q They have been married nine years now, have they? A Yes sir.

Applicant re-called:
Q You have property in the Cherokee Nation? A Yes sir.
Q But you make your residence and are regularly engaged in business in Muskogee? A Yes sir.

Com'r Breckinridge: The applicant is shown by the certificate of admission cited in the testimony to have been duly admitted to Cherokee citizenship by the Cherokee commission on citizenship, on April 26, 1887; he is identified on the roll of 1896; his wife is identified on said roll; and their marriage in 1891 is established by satisfactory personal testimony; he applies for the admission as a Cherokee by blood and he applies for his wife as a Cherokee by adoption; their three children, Chrystie, Frank B. and Mabel are identified on the roll of 1896; the applicant states that he owns and has continuously owned property in the Cherokee Nation, but that his domicile is in the town of Muskogee in the Creek Nation, and that he has there lived with all ofhis family for the last seven or eight years, and that during that time and at the present time he has been regularly engaged in business at that point,- in the coal and ice business; in order to further consider the question of non-resdidence as it may exist under this state of facts, the application made at this time by the applicant for himself, his wife and three children will be placed upon a doubtful card; the decision of the Commission when rendered willbe communicated to the applicant at his post-office address, and it will be forwarded to the Secretaryof the Interior for his final approval.

Frank T. Swift et al #3

M. J. Person, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. J. Person

Subscribed and sworn to before me this 6 day of Sept 1900..

Commissioner.

BD

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E 228

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED.

AUG 30 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date August 23th 1900.

(33)

1. Name Frank T. Swift, Tenkiller, I.T.

District

Citizen by blood Yes Mother's citizenship Intermarried citizen No Married under what law

License

Year 97 Page 70 No. 93

Frank T. Swift - wife - living
Martha " - dau - "

Date of marriage

Certificate

2. Wife's name Mattie, Swift.

District

Citizen by blood Yes Mother's citizenship Intermarried citizen Yes Married under what law

License

Year 97 Page 93 No. 275

Benj. Butler - wife - living
Mattie " - - dau

Date of marriage

Certificate

Names of Children:

3 Mattie, Swift	Dist.		Year 97	Page 70	No. 933	Age 5
4 Frank E, "	Dist.	"	Year "	Page 70	No. 934	Age 5
5 Mabel "	Dist.	"	Year "	Page 70	No. 933	Age 3
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age

*2 Mattie, or Mattie Swift
*3 " " Swift
*4 " " Frank E. "

Nurs

D118

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Commissioner.

"R"

D 248

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 21, 1902.

In the matter of the application of Frank P. Swift, for the enrollment of himself, wife and children as citizens of the Cherokee Nation:

Applicant was notified by registered letter on February 4, that his case would be taken up for final consideration by the Commission on the 21st day of February, 1902, and that he could on said day appear and introduce any further testimony affecting his application.

Receipt has been acknowledged of the Commission's letter.

He has been called three times and fails to respond either in person or by attorney; and the case is closed.

Commissioner.

Chipsie Hughs born March 25th 18[illegible]

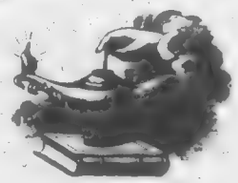
Frank Bacon Hughs " June 26th 18[illegible]

Mable Hughs " July 6th 1896

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

Marriage Certificate.



The State of Kansas, Crawford County, ss.

I, S. H. P. Comings, hereby certify that I did join and unite

In Marriage,

Frank Tyner Hoyt and Nellie Bell

on the 30th day of December A. D. 1890

at the house of the Rector in Girard in said County.

S. P. Comings
Rector of St. Johns Girard.

Per Capita Claim
of Martha Dorsett
et al.

"Exhibit A"

I 2

Martha Swift.

Office Commission on Citizenship,
Tahlequah, C.N., April 28th, 1887.

Docket,	No Family	Name,	Age,	Sex.		Attorney.
	1	Martha Swift,	39,	Female,	Girard, Kansas,	
	2	Frank T. Swift,	20	male,		
112.	3	Ben W. Swift,	10	male		
	4	James F. Swift,	17.	Male,	Applicant for Cherokee citizenship.	A.E. Ivey.

vs

Cherokee Nation,
Filed April
16th, 1887.

Rolls of 1835.
Ancestor
Polly Sanders.

Now on this the 19th day of April, comes the above named case for final hearing and having made application pursuant to the provisions of an "Act" of the National Council approved December 8th, 1886, and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission, it is adjudged and determined by the Commission that Martha Swift, Frank T. Swift, Benj. W. Swift, James F. Swift, are Cherokee by blood and they are hereby re-admitted to all the rights privileges and immunities of Cherokee citizens by blood.

And a certificate of said decision of the Commission and of re-admission was made and furnished said parties accordingly.

J.T. Adair, Chairman of Commission,

John E. Gunter, Commissioner,

D.W. Lipe, Commissioner.

C.C. Lipe,
Clerk Commission.

I, W.H. Mayes, Asst. Executive Secretary do hereby certify that the above is a true and correct copy of page 118, docket of Commission on Citizenship, Book "A", of 1887.

This the 30th day of November, 1897.

W.H. Mayes

Asst. Executive Secretary.

(COPY)

CERTIFICATE OF ADMISSION TO CHEROKEE CITIZENSHIP.

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION.

TO WHOM IT MAY CONCERN -- GREETING:

This is to certify that the following named, to-wit: Martha Swift, female, age 39 years, Frank T.Swift, male, age 20 years, Benjamin W. Swift, male, age 19 years and James F.Swift, male, age 17 years, did, pursuant to the provisions of an act of the National Council of the Cherokee Nation,approved December 8th.,1886, entitled "An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship," make such application to and before said Commission on the 19th. day of April, 1887;that the proof submitted by the above named Martha Swift in support of her said application has been found, and is here declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of section seventh of said act of the National Council - and that by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said act, the above named parties (applicants for citizenship) were, from and after the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said fourteenth section, to the rights and privileges of Cherokee Citizenship, under section 2, Art. 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said parties accordingly.

IN WITNESS WHEREOF, I hereunto sign my name,as Chairman of the Commission,on this the Nineteenth day of April, 1887.

(Signed) J.T.ADAIR,

Chairman Com.on Citizenship.

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

Cherokee D-228.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., September 26, 1902.

In the matter of the application of Frank T. Swift for the enrollment of himself and children Crystie, Frank B. Jr., and Mabel Swift as citizens by blood, and for the enrollment of his wife, Nettie, as a citizen by intermarriage of the Cherokee Nation; said Nettie Swift, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Nettie Swift.
Q Are you the wife of Frank T. Swift? A Yes sir.
Q You claim to be a citizen by intermarriage? A I do.
Q Are you the same Nettie Swift for whom application was made on August 30, 1900, to the Commission? A Yes sir.
Q When were you married to Frank T. Swift? A In 1880.
Q What is your postoffice address and age? A Muskogee, and I am thirty-two.
Q Had your husband ever been married prior to his marriage to you?
A No sir.
Q Had you ever been married prior to that marriage? A No sir.
Q You never married any other man except Frank T. Swift? A No sir.
Q Have you lived together continuously since 1880? A Yes sir.
Q Where have you lived? A We lived in Girard, Kansas, the first year, then we came to Muskogee.
Q You have been living in the territory since when? A We came in March, 1892.
Q Have you resided in the Indian Territory since March, 1892? A Yes sir.
Q Your husband has resided here with you has he? A Yes sir.
Q How many children have you? A Three.
Q Is your husband and your three children, Crystie, Frank B. and Mabel alive at this time ? A Yes sir.
Q These children have always lived in the Indian Territory? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 14th day of October, 1902.

R. B. Jones
Notary Public.

Cherokee 1-022.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., September 2, 1902.

In the matter of the application of Frank T. Swift for the enrollment of Minnie Ardmore Letter Cravatte, Frank E. Ice, and Mabel Swift as citizens by blood, and for the enrollment of Julia Nettie Nettie Swift, as a citizen by intermarriage of the Cherokee Nation, and as follows:

Q What is your name? A Nettie Swift.
Q Are you the wife of Frank T. Swift? A Yes sir.
Q You claim to be a citizen by intermarriage? A I do.
Q Are you the same Nettie Swift for whom application was made August 30, 1900, to the Commission? A Yes sir.
Q When were you married to Frank T. Swift? A In 1899.
Q What is your postoffice address and age? A Tahlequah. I am thirty-two.
Q Had your husband ever been married prior to his marriage to you? A No sir.
Q Had you ever been married prior to that marriage? A No sir.
Q You never married any other man except Frank T. Swift? A No sir.
Q Have you lived together continuously since 1899? A Yes sir.
Q Where have you lived? A We lived in Grand Kansas, the first year, then we came to Muskogee.
Q You have been living in the territory since then? We came in March, 1899.
Q Have you resided in the Indian Territory since March, 1899? A Yes sir.
Q Your husband has resided here with you has he? A Yes sir.
Q How many children have you? A Three.
Q Is Nettie Maymond and your three children, Cephus, Frank E. and Mabel alive at this time? A Yes sir.
Q These children have always lived in the Indian Territory? A Yes sir.

The undersigned, being duly sworn, states that the foregoing is a true and correct transcript of his stenographic notes thereto in the Commission to the Five Civilized Tribes in the matter as the testimony and proceedings in this case, and that the foregoing testimony was correctly recorded.

_____

Subscribed and sworn to before me this 11th day of October, 1902.

_____
Notary Public.

Cherokee D-228.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Frank T. Swift, Crystie Swift, Mabel Swift and Frank B. Swift, Junior, as citizens by blood; and for Nettie Swift as a citizen by intermarriage of the Cherokee Nation.

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--:o:--

D E C I S I O N.

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The record in this case shows that on August 30, 1900, Frank T. Swift appeared before the Commission at Port Gibson, Indian Territory, and made application for the enrollment of himself and his minor children, Crystie, Mabel and Frank B. Swift, Junior, as citizens by blood, and for his wife, Nettie Swift, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on September 26, 1902.

The evidence in this case shows that Frank T. Swift was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on April 26, 1887. It is further shown that the said Frank T. Swift married his wife, applicant herein, on December 30, 1890, and as a result of that marriage, Crystie, Mabel and Frank B. Swift, Junior, were born. All the applicants herein are identified on the Cherokee Census Roll of 1896.

The evidence further shows that Frank T. Swift and his wife, Nettie Swift, have resided together continuously in Indian Territory since 1892 up to and including September 1, 1902. The minor children have been continuous residents of Indian Territory since birth.

It is, therefore, the opinion of this Commission that Frank T. Swift, Crystie Swift, Mabel Swift and Frank B. Swift, Junior, should be enrolled as citizens by blood of the Cherokee Nation, and that Nettie Swift should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulsie Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	248
John W. Thurman	253
Scott Harless	[illegible]
Emma Phillips	[illegible]
John Whisenhunt	[illegible]
Tilman Chance	[illegible]
Thomas A. Sheffield	[illegible]
Vester C. Martin	[illegible]
William Grigsby	[illegible]
William J. Largen	[illegible]
Joseph P. Willis	[illegible]
James T. Miller	[illegible]
George A. Waters	[illegible]
Jenette Messer	[illegible]
Joseph A Patton	[illegible]
Benjamin G, Holland	[illegible]
William Gordon	[illegible]
Maggie Patterson	[illegible]
Martha M. Bruner	[illegible]
Emma Morris	[illegible]
Susie Fivekiller	[illegible]
John F. Carden	[illegible]
William H. Burrow	[illegible]

Mary Pettit	977	Willie Warren	1554
Bettie Mitchell	985	[illegible] Walters	1563
John J. Harrison	993	[illegible]	1610
Jasper N. Bateman	1029	[illegible]	1612
Susan Ballard	1065	[illegible]	1644
Lucy Eva Simmons	1073	[illegible]	1683
Ellen Thornton	1089	[illegible]	1700
Sarah F. Hair	1090	[illegible]	1717
Norman S. Drake	1092	[illegible]	1722
Susan Hogg	1099	[illegible]	1726
David L. Scott	1099	[illegible]	1727
James C. Taylor	1111	[illegible]	1731
Roxie Shepard	1128	[illegible]	1734
Robert G. Elgin	1136	[illegible]	1745
William Hall	1137	[illegible]	1760
Mary Ella Lattimore	1141	[illegible]	1781
Maggie J. Keys	1149	[illegible]	1796
Joseph M. Correll	1177	[illegible]	1802
Jane Ratley	1225	[illegible]	1804
George E. Norton	1234	[illegible]	1805
Mahala D. Thompson	1247	[illegible]	1811
Charles M. Trammel	1264	[illegible]	1816
Flora Carlile	1265	[illegible]	1817
William H. Norrid	1275	[illegible]	1822
Olivia Benge	1276	[illegible]	1828
Dollie Wilson	1278	[illegible]	1845
Moses Bell	1279	[illegible]	1864
Sarah Fleetwood	1280	[illegible]	1867
Rosa E. Fargo	1299	[illegible]	1896
William M. Oliver	1333	[illegible]	1913
Andrew J. Couch	1346	[illegible]	1920
Lina Hyles	1347	[illegible]	1925
Mary M. Miller	1350	[illegible]	1937
Mary E. Taylor	1368	[illegible]	1954
Polly Ann Benge	1369	[illegible]	1958
Margaret Merton	1385	[illegible]	1962
Minnie McKinney	1389	[illegible]	2199
Nettie Sealbolt	1404	[illegible]	2207
Lawrence G. Faulkner	1425	[illegible]	2150
Sarah A. Holt	1449	[illegible]	2172
Jennette Polecat	1462	[illegible]	2192
Ellen Sealbolt	1508	[illegible]	2215
Charles W. Nettles	1509	[illegible]	2224
Lena Sittingdown	1511	[illegible]	2251
Tim Creeden	1513	[illegible]	2256
Odie Pidcock	1517	[illegible]	2261
Silas A. Saterfield	1529	[illegible]	2271
Laura J. Jeremiah	1530	[illegible]	2282
Etta Hicks	1540	[illegible]	2312
Mary A. B. McKinney	1550	[illegible]	2330

Lafayett D. Kindred	2328	William A. J. Trotter	3257
Pearl V. Sisson	2339	Albert P. Goforth	3298
Nancy J. Sevier	2380	Anna B. Martin	3307
Mollie Hair	2385	William Brown	3344
Dora Sayers	2474	Jennie B. Bluejacket	3345
William T. Jones	2501	William Little	3377
Sarah L. Martin	2502	Julia M. A. Russell	3386
William J. Shoemaker	2506	Andrew J. Smith	3393
Maud Baldridge	2511	William N. Blakemore	3396
James L. Townsend	2513	Lizzie Denton	3417
George L. Morgan	2568	Belle Hudson	3435
Andrew A. Brown	2575	Thomas S. Heady	3437
Louis K. Fair	2623	William M. Roseborough	3444
James L. Mitchell	2644	Madison G. Hawkins	3467
Martha E. McNair	2659	Japhat F. Ellis	3491
Millard F. Eggleson	2668	Emma McAffrey	3543
Elisha M. Gray	2686	William T. Huitt	3570
Jessie M. Ballard	2694	Myra F. Chouteau	3580
Annie Mayes	2798	Phillip Donohoo	3581
Belle Sixkiller	2809	Fred L. Kelley	3593
James P. Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V. Fields	3615
William A. Martin	2865	Lou Payne	3616
Joseph Q. Buchanan	2888	Frederick W. Strout	3692
Marcellus L. Baker	2905	Andrew L. McCamish	3713
Etta M. Hill	2915	Sarah Dirtthrower	3731
John R. Smith	2922	William P. Coble	3758
Ira W. Wallen	2926	Robert L. Madison	3761
John B. Laurence	2959	Mariah McDowell	3795
Lula O. Hitchcock	2961	Elizabeth R. Thornton	3811
Bell L. Muskrat	2975	Donithan A. Wilson	3841
Eliza O'Field	2977	Charles F. Covey	3868
Margaret Suagee	2993	Tamsey M. Williams	3886
Winfield S. Nance	3007	Mary J. Wolfe	3889
Benjamin F. Kelley	3010	Lathan Lumbard	3891
Mollie Daugherty	3039	Micajah P. Haynes	3897
Charles H. Leatherman	3043	Annie L. Wingfield	3903
Alice A. Edwards	3100	Mary Fields	3907
Dorinda Adair	3106	William W. Dudley	3944
William R. Gray	3118	Minnie M. McLaughlin	3950
Dora B. Caulk	3143	Henry B. Lindsey	3978
Jesse M. Gallman	3161	Wilbert H. Parkison	3999
Martha E. Garrett	3162	Seth R. Hall	4011
Artie E. Large	3164	Wiley Hanna	4016
Andrew A. Kelley	3191	Martha M. Woods	4093
Anna B. Ryne	3193	Lizzie Gray	4117
Eliza Henderson	3198	Nancy C. Carey	4131
David E. Jenkins	3212	Annie E. Kenney	4165
Lizzie Falling	3233	William H. Ward	4169
Robert L. Payne	3252	Nannie Brewer	4189

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Laura Hendricks	6976
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William Henry Reeve	7005
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Willie Hilderbrand	7015
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Minerva J. Trent	7051
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William I Braman	7400
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Mary E Hummingford	7420
Bertha A Allen	7425
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Robert B Collins	7556
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Mattie Carty	8006
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Margaret T Langley	9092
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Lewis Bruce	D	770
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Eliza Fields	D	797
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George S. Yarbrough	D	875

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Benjamin H. Hulbert	D	891
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James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphonia Sweetwater	D	1314
Etta Russell	D	1319

Ella Vann	D	1330
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1446
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1666
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. [illegible]	D	[illegible]
Priscilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2627
Willis Butler	D	2636
Claud Barger	D	2637
Dixie Conner	D	2638
John Culwell	D	2660

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Dunderman	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila Mace	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nuckles	D	2730
Richard Nichols	D	2731
William S. Rose	D	2735
James Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Dolla Summers	D	2743
William S. Sage	D	2744
Elam Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Emma Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Davis	D	2793
William Davis	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margaret C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Mahoney	D	2806
Marion Mahlon	D	2807
John A. McKinnie	D	2808
Lena McGee	D	2809
Ollie Miller	D	2810
William A. Morton	D	2811
Jane P. Morrow	D	2812
Oliver Mann	D	2813
Ellen Whitehead	D	2814
Charley Newkirk	D	2815
Ella M. Nuckles	D	2817
Lenore Osborne	D	2818
William H. Patterson	D	2820

Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stocker	D	2829
Sallie Taumeacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2836
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Mamie Ward	D	2889
Elmina J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morton	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Evaline Hall	D	2993
John R. Leftwich	D	2995
Mattie Houson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3046
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Lenner Hood	D	3064
James D. Jackson	D	3067
Emma G. Nelson	D	3068
Alice Stacy	D	3069
George O. Wallace	D	3070
Fannie Clay	D	3073
Ellen Dow	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miser	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharies	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Bango	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	638
Minnie Thompson	R	4	Andrew Sitrell	R	640
Jennie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosanna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 256, 258, 257 and 259, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____
Commissioner.

Dated at Muskogee, Indian Territory,

this January 30, 1907.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. TOWNSEND
C. R. BREDENBERG

ALLISON L. WORMINGTON
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mr. Frank T. Smith,

Muskogee, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and three minor children

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Very truly,

Acting Chairman.

FI
FEB 4 1902

COPY.

Cherokee D-228.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Frank T. Swift for the enrollment of himself and his three minor children, Crystie, Frank B. Jr. and Mabel Swift, as citizens by blood, and for the enrollment of his wife, Nettie Swift, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,

Acting Chairman.

Enc. Ref.

COPY

Cherokee D-324

Muskogee, Indian Territory, February 3, 1905.

Frank L. Swift,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1905, granting your application for the enrollment of yourself and your three minor children, Crystie, Mabel and Frank B. Swift Jr., as citizens by blood, and for the enrollment of your wife, Nettie Swift, as a citizen by intermarriage, of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. D-324

Registered.

Cherokee
[illegible]

Muskogee, Indian Territory, January 10, 1907.

Nettie Swift,

Muskogee, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Encl. Decn. B

Cherokee 10078

Muskogee, Indian Territory, March 12, 1907.

Mattie Swift,

Muskogee, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

D. Commissioner

Cherokee
& et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 19, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-169
MMK

Cher 10079

Maggie Baldridge

Trans. from D251

Cher 10079

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I. T., SEPTEMBER 10, 1900.

In the matter of the application of Archilla Baldridge for the enrollment of himself, wife and children as citizens of the Cherokee Nation, said Baldridge being sworn by Commissioner C. R. Breckinridge, testified as follows:

Q What is your full name? A Archilla Baldridge.
Q How old are you? A 36.
Q What is your post office? A Saline.
Q What is your district? A Saline.
Q What do you want to have enrolled? A Myself, wife and children.
Q How many children? A Two.
Q Do you apply for yourself as a full blood? A Yes, sir.
Q Is your wife a full blood? A White woman.
Q How long have you lived in the Cherokee Nation? A All my life.
Q How long have you lived in Saline district? A Born and raised there.
Q What is the name of your father? A Bird Baldridge.
Q Cherokee? A Yes, sir.
Q Dead or alive? A Dead.
Q How long has he been dead? A Long time.
Q What is your mother's name? A Chiowuca.
Q Dead or alive? A Been dead long time too.
Q What is your wife's name? A Maggie Baldridge.
Q When did you marry her? A I do not remember; I have a marriage license here. I think I have been married about four years.
Q What was her name when you married her? A Maggie Glick.
Q What was the name of her father? A I do not remember his given name.
Q Was he married to her when the census roll was taken in 1896?
Q Give me the names of your children? A Swimmer Baldridge; two years old.
Q What is the name of the other one? A Inis Melvin Baldridge.
Q Born last March? A Yes, sir.
Q Have you any certificate of marriage to your wife? A Yes, sir; I got a license.
Q Have you got it with you? A No, sir.
1880 enrollment; page 617, #105, Archillar Baldridge, Saline.
1896 enrollment; page 976, #65, Archilla Baldridge, Saline.
1896 enrollment; page 1053, #2, Maggie Baldridge, Main.
Q Is Bird Baldridge a child of this wife? A Yes, sir.

Com'r Breckinridge:

The applicant applies for the enrollment of himself, his wife and two children. He is identified on the rolls of 1880 and 1896 as a native Cherokee, and he will be listed now for enrollment as a Cherokee by blood. He is evidently a full blood. His wife is [redacted] child is now dead. It is not established conclusively, however, that he and his wife were married in time for her to be entitled for enrollment under the Cherokee law of 1896. The applicant states that he can produce a certificate of his marriage. For the present the application for his wife will be placed upon a doubtful card to await the certificate of marriage and the further consideration of the application for her by the Commission.

The fact of their marriage, however, is conclusively shown by the enrollment of his wife with him in 1896, and therefore as to the application for their two children, Delmar and Isaac H. Baldridge, both are too young to be upon any roll. When he supplies the Commission with duly authenticated certificates of the births of these two children, they will be listed for enrollment as Cherokees by blood.

---oooOOOooo---

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic note thereof.

John O. Rossen

Subscribed and sworn to before me this 11th day of September, 1900.

C. N. Haskell

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP. 11 1906

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 10 1900

SALINE.

Statement of Applicant Before Notary Public.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 10 1900 1900.

Name

District

Citizen by blood

Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name Maggie Saidridge Salina, I.T.

District SALINE

Citizen by blood Yes. Mother's citizenship Cherokee. Year 1896 Page 1033 No. 2

Intermarried citizen No.

Married under what law

Date of marriage

License

Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Dr51

sgc

D 251

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 21, 1902.

In the matter of the application of Maggie Baldridge, for the enrollment of herself as a citizen of the Cherokee Nation:

Applicant was notified by registered letter on February 4, that her case would be taken up for final consideration by the Commission on the 21st day of February, 1902, and that she could on said day appear before the Commission and an opportunity would be given her to introduce any additional testimony affecting her application.

She was also requested to supply the Commission with evidence of her marriage.

She has been called three times and fails to respond either in person or by attorney; and the case is closed.

Commissioner.

Office Dist Clerk Saline Dist C.N.

I hereby certify that on the fifteenth day of December 1895 I joined in marriage Mr.Archiller Baldridge (aged thirty years) a Cherokee and a citizen of the Cherokee Nation and Miss Maggie Click aged twenty-two years, a citizen of the United States.

This the 16th day of Dec., A.D. 1895.

J.M. Ross
Clerk Saline Dist.
C.N.

Executive Office, Cherokee Nation,
Tahlequah, I.T.

I, B.W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the above is a true copy taken from the marriage record of Saline District Cherokee Nation, now filed in this office be law and is in my legal custody.

Given under my hand and the seal of the Cherokee Nation this the 23rd day of April, 1902.

B.W. Alberty,
Assistant Executive Secretary
Cherokee Nation.

(SEAL)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Maggie Baldridge as a citizen of the Cherokee Nation.

Dated at Muskogee, I.T.,
this 1st day of May, 1902.

Cherokee D 251.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 25, 1902.

In the matter of the application of Maggie Baldridge for enrollment as a citizen by intermarriage of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

MAGGIE BALDRIDGE, being sworn, testified as follows:

By the Commission.

Q What is your name, please? A Maggie Baldridge.
Q What's your age, Mrs. Baldridge? A Twenty-seven.
Q What's your postoffice? A Rose.
Q Are you the same Maggie Baldridge for whom application was made as an intermarried citizen in September, 1900? A Yes, sir.
Q What is your husband's name, Mrs. Baldridge? A Archilla B Baldridge.
Q Is he living? A Yes, sir.
Q Is he a citizen by blood of the Cherokee Nation? A Yes, sir.
Q When were you married to Mr. Baldridge? A In 1895.
Q What time in 1895? A December 14.
Q December 14, 1895? A Yes, sir.
Q Did you file your marriage certificate when you made your original application? A Yes, sir.
Q You are sure it was December 14th, are you? A Yes, sir.
Q It was not the 16th? A No, sir, it was not the 16th, it was the 14th.
Q Had you ever been married before you were married to Mr. Baldridge A No, sir.
Q Had he ever been married before his marriage to you? A No, sir.
Q Have you and Mr. Baldridge lived together as husband and wife all the time since your marriage up to the present time? A Yes, sir.
Q You have never been separated since you were separated? A No, sir.
Q Were you and he living together on the first day of September, 1902, as husband and wife? A Yes, sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to Mr. Baldridge in '95 up to the present time?
A Yes, sir.
Q Have you and he got any children, Mrs. Baldridge? A Yes, sir, we have got two.
Q Both living? A Yes, sir.
Q Lived all their lives in the Cherokee Nation? A Yes, sir.
Q What are the names of those children? A Inis Mildred and Swimmer.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 26th day of November, 1902.

Notary Public.

Cherokee D-251

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Maggie Baldridge as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 10, 1900, Archilla Baldridge appeared before the Commission at Pryor Creek, Indian Territory, and made personal application for the enrollment, among others, of his wife, Maggie Baldridge, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 28, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Maggie Baldridge was lawfully married on December 15, 1898, to Archilla Baldridge, identified in the marriage license as "Archiller" Baldridge, a citizen by blood of the Cherokee Nation. She is identified on the Cherokee census roll of 1896.

The evidence further shows that said Maggie Baldridge has lived with her husband in the Cherokee Nation continuously since her marriage to him, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Maggie Baldridge should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31 1902 applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	[illegible]
Benjamin W. Williams	8	Emma Phillips	[illegible]
Lena Severs	19	John Whisenhunt	[illegible]
Sarah E. McCay	21	Tilman Chance	[illegible]
Joseph Herberger	23	Thomas A. Sheffield	[illegible]
Laura Henson	43	Vester C. Martin	[illegible]
William W. Barnes	48	William Grigsby	[illegible]
Georgia Wood	54	William J. Largen	[illegible]
Walter A. Edens	62	Joseph P. Willis	[illegible]
Adda B. Ward	69	James T. Miller	[illegible]
Samuel G. Victor	73	George A. Waters	[illegible]
Sarah M. Thomas	109	Jenette Messer	[illegible]
William B. Watson	165	Joseph A. Patton	[illegible]
William H. Ford	173	Benjamin G. Holland	[illegible]
Thomas N. Wilson	185	William Gordon	[illegible]
Ulsie Ann Smith	206	Maggie Patterson	[illegible]
Susan M. Perry	208	Martha M. Bruner	[illegible]
Gertrude Palone	224	Emma Morris	[illegible]
Hugh Willis	229	Susie Fivekiller	[illegible]
Mary A. Wilkie	248	John F. Carden	[illegible]
John W. Thurman	253	William H. Bunner	[illegible]

Mary Pettit	977	Millie Morrow	1554
Bettie Mitchell	983	Andrew Walters	1573
John J. Harrison	993	John H. Hosier	1610
Jasper N. Bateman	1029	Mary M. Burr	1612
Susan Ballard	1065	Thomas R. Fountain	1644
Lucy Eva Simmons	1073	Clarence Hendricks	1663
Ellen Thornton	1089	Isaac B. Brewer	1709
Sarah E. Hair	1090	Annie Courtney	1717
Norman S. Drake	1092	Wash Bessee	1722
Susan Hogg	1094	Isaac Timmons	1726
David L. Scott	1099	Geo. Gibson	1727
James C. Taylor	1111	Annie Watterson	1731
Roxie Shepard	1128	William H. Mounts	1734
Robert G. Elgin	1136	James D. Mccumber	1745
William Hall	1137	Willis H. Miles	1769
Mary Ella Lattimore	1141	Tom Wear	1781
Maggie J. Keys	1149	John Yarborough	1796
Joseph M. Correll	1177	Lillie M. Dessier	1802
Jane Railey	1225	Bryan O. Rezington	1804
George E. Norton	1234	Moses A. Maxwell	1808
Mahala D. Thompson	1247	Richard Dukes	1811
Charles M. Trammel	1264	Jennie Pettit	1816
Flora Carlile	1265	Geneva Pool	1817
William H. Norrid	1277	Mollie Grossaint	1822
Olivia Benge	1276	Lizzie Benge	1828
Dollie Wilson	1278	John H. Weeks	1847
Moses Bell	1279	Edward P. White	1884
Sarah Fleetwood	1280	Lauren P. Green	1887
Rosa E. Fargo	1290	Charles Bussee	1898
William M. Oliver	1333	Jay Wear	1913
Andrew J. Couch	1340	Hennetta Irving	1920
Lina Hyles	1347	Ben Brainard	1925
Mary M. Miller	1350	John C. Carlile	1937
Mary E. Taylor	1368	John W. Gilstrap	1954
Polly Ann Benge	1369	Sarah Young	2018
Margaret Moton	1385	Henry A. Gilmore	2080
Minnie McKinney	1389	James N. Whisenhunt	2118
Nettie Seabolt	1418	Hiram Stephens	2157
Lawrence G. Faulkner	1433	Wm H. Gunn	2159
Sarah A. Holt	1440	Reuben F. Irving	2172
Jennette Polecat	1492	Thomas J. Webster	2192
Ellen Seabolt	1498	Julia Canty	2215
Charles W. Nettles	1500	Sarah Greenfield	2226
Lena Sittingdown	1511	Henry H. Lee	2251
Tim Creeden	1513	Sarah Gritts	2256
Odie Pidcock	1517	Dora M. Warden	2261
Silas A. Saterfield	1529	Henry C. Bennet	2271
Laura J. Jeremigh	1530	Martha J. Cleland	2302
Etta Hicks	1540	Dora M. Brunner	2312
Mary A. B. McKinney	1550	Laura B. Gentrey	2320

Lafayett D. Kindred	2328	William A. J. Trotter	3257
Pearl V. Sisson	2339	Albert P. Goforth	3298
Nancy J. Sevier	2380	Anna B. Martin	3307
Mollie Hair	2385	William Brown	3344
Dora Sayers	2474	Jennie B. Bluejacket	3345
William T. Jones	2501	William Little	3377
Sarah L. Martin	2502	Julia M. A. Russell	3386
William J. Shoemaker	2506	Andrew J. Smith	3393
Maud Baldridge	2511	William N. Blakemore	3396
James L. Townsend	2513	Lizzie Denton	3417
George L. Morgan	2568	Belle Hudson	3435
Andrew A. Brown	2575	Thomas S. Heady	3437
Louis K. Fair	2623	William M. Roseborough	3444
James L. Mitchell	2644	Madison G. Hawkins	3467
Martha E. McNair	2659	Japhat F. Ellis	3491
Millard F. Eggleson	2668	Emma McAffrey	3543
Elisha M. Gray	2686	William T. Huitt	3570
Jessie M. Ballard	2694	Myra F. Chouteau	3580
Annie Mayes	2798	Phillip Donohoo	3581
Belle Sixkiller	2809	Fred L. Kelley	3593
James P. Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V. Fields	3615
William A. Martin	2865	Lou Payne	3616
Joseph Q. Buchanan	2888	Frederick W. Strout	3692
Marcellus L. Baker	2905	Andrew L. McCamish	3713
Etta M. Hill	2915	Sarah Dirtthrower	3731
John R. Smith	2922	William P. Coble	3758
Ira W. Wallen	2926	Robert L. Madison	3761
John B. Laurence	2959	Mariah McDowell	3795
Lula O. Hitchcock	2961	Elizabeth R. Thornton	3811
Bell L. Muskrat	2975	Donithan A. Wilson	3841
Eliza O'Field	2977	Charles F. Covey	3868
Margaret Suagee	2993	Tamsey M. Williams	3886
Winfield S. Nance	3007	Mary J. Wolfe	3889
Benjamin F. Kelley	3010	Lathan Lumbard	3891
Mollie Daugherty	3039	Micajah P. Haynes	3897
Charles H. Leatherman	3043	Annie L. Wingfield	3903
Alice A. Edwards	3100	Mary Fields	3907
Dorinda Adair	3106	William W. Dudley	3944
William R. Gray	3118	Minnie M. McLaughlin	3950
Dora B. Caulk	3143	Henry B. Lindsey	3978
Jesse M. Gallman	3161	Wilbert H. Parkison	3999
Martha E. Garrett	3162	Seth R. Hall	4011
Artie E. Large	3164	Wiley Hanna	4016
Andrew A. Kelley	3191	Martha M. Woods	4093
Anna B. Ryne	3193	Lizzie Gray	4117
Elisa Henderson	3198	Nancy C. Carey	4131
David E. Jenkins	3212	Annie E. Kenney	4165
Lizzie Falling	3233	William H. Ward	4169
Robert L. Payne	3252	Nannie Brewer	4189

[illegible] J Kinney	4225
[illegible] E Bird	4232
[illegible] H Jordan	4235
[illegible] Parks	4244
[illegible] Freeman	4262
[illegible] R Frazier	4275
[illegible] Adams	4277
Elizabeth Black	4281
[illegible] Thornton	4291
[illegible] E Morrison	4294
[illegible] Jones	4295
William A Long	4304
[illegible] Swarmstedt	4319
[illegible] Gibbs	4324
Albert E Gibson	4327
[illegible] McFaul Jr	4343
Albert W [illegible]mmons	4360
[illegible] S Ford	4386
[illegible] Carr	4387
William A Powell	4390
[illegible] Hunter	4400
[illegible] Baker	4414
Elizabeth Elder	4428
[illegible] P Southern	4449
[illegible]rence Swan	4450
[illegible] W Adams	4451
Martin J Rumsey	4457
[illegible] Conner	4477
[illegible] Wellons	4491
[illegible] Elder	4525
[illegible] Rumsey	4528
Charles W Childers	4542
[illegible] B Riley	4543
John W McDaniel	4544
[illegible] Armstrong	4548
[illegible] Childers	4549
Mary Thompson	4571
[illegible] Armstrong	4588
[illegible] Spencer	4594
Charlotte F Woodfin	4603
[illegible] W McConnell	4604
[illegible] E Conner	4605
[illegible] Long	4606
[illegible] Coleman	4607
[illegible] E Swann	4608
[illegible] Nicholson	4609
[illegible] R Taylor	4611
[illegible] E Rogers	4614
[illegible] Dowling	4615
[illegible] Stone	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigrow L Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John [illegible] Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
[illegible] Reed	[illegible]
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rattlingourd	4991
Ida McCay	5093
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
Mav Humphrey	5207
Donnie Burgess	5238

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Daisey H Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Pulson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5620
Effie M. Adams	5622
John H. Shrimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seagel	5660
Martha A. Parks	5666
Zelda C. Mills	5667
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Hacom	5679
Thomas B Wood	5680
Asa W. Simerson	5683
William J. Kulm	5686
Elsie Couch	5690
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5709
Dennis W Smith	5702
William H. Chesnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Cradum	5750
Benjamin F Coffee	5756
Frank Meriwether	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J. Wood	5778
Robert C Fuller	5781
Henry F. Exline	5786
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5836
John F. Woodsworth	5839

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Juha Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6280
Sarah Mayes	6296
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

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William H. Wingo	6378
Ida B. Williamson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Bird	6392
William O. Ames	6394
Thomas Williamson	6396
Alice C. Symington	6407
Jimmy K. Witt	6413
Lillie M. Adair	6424
Mark F. Watkinson	6429
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Baxter	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary L. Cammeel	6476
Columbus N. Long	6479
Mary Wilkerson	6481
Myrtle Ware	6484
Belle Ware	6499
Martha E. Wallace	6506
Mary A. Brown	6517
Marion M. Bailey	6530
Willie Wakefield	6540
Sarah Stevens	6541
Frank Powell	6542
Georgia Redman	6546
Rockwell W. Thompson	6560
Minnie Graves	6560
James Wallenmeyer	6561
Minnie Carlile	6578
Nader M. Wakefield	6580
Silas A. Brown	6581
William S. Marrs	6585
Hiram J. Thompson	6590
Lydia McDaniel	6593
Duvell W. Barrit	6595
Glen E. Hart	6608
Bess Phillips	6622
Lois E. Daniel	6670
William W. Turner	6690
Lillie E. Blackburn	6716
Mary Talbert	6716
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosa B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Parkhiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tebee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Treat	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cowdry	7113
Benjamin Haner	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Pharis	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7278
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen J. Buckner	7331
James L. Gond	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kiazay Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549

Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7695
Mattie Garza	9005
Mack Alfred	9015
Ida Harmon	9016
Ida McCoy	9017
Rosie Foreman	9043
Annie Jackson	9034
Margaret T. Langley	9082
Ida M. Davis	9086
Nora Crapo	9250
Margaret Harmon	9257
Mary B. Langley	9428
Ella Graham	9429
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9448
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seaboll	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brammer	9467
James F. Phipps	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thompson	9479
Mollie Devine	9481
Mary P. Gentsch	9480
Dudley S. Lansdon	9484
Nannie Cowart	9485
Leona Catcher	9490
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Walkshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9515
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Pemberton	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Lecia E. Herrin	9854
Gailen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875

William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setser	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlew	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingslea	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	[illegible]
Adolphus J. Hallum	D	[illegible]
Alexander Walker	D	[illegible]
Albert J. High	D	[illegible]
America Matoy	D	[illegible]
Moses L. Grazier	D	[illegible]
Myrtle Hall	D	[illegible]
Wallace Thursday	D	[illegible]
Thomas W. Baker	D	[illegible]
Mattie E. Keys	D	[illegible]
William S. Edwards	D	[illegible]
Susan L. Reed	D	[illegible]
William H. Lyman	D	[illegible]
Gracia Davis	D	[illegible]
Edward C. Bolen	D	[illegible]
Dora Guthrie	D	[illegible]
Samuel H. Hawkins	D	[illegible]
Lula M. Purcell	D	[illegible]
Ben Estes	D	[illegible]
Thomas M. Reynolds	D	[illegible]
Arthur Dodge	D	[illegible]
Carrie L. McNair	D	[illegible]
Constantine N. Walker	D	[illegible]
Joseph Davis	D	[illegible]
Leander A. Keys	D	[illegible]
James J. Barndollar	D	[illegible]
Nathan J. Brink	D	[illegible]
William S. Miles	D	[illegible]
Emma Waybourn	D	[illegible]
Dora E. Rogers	D	[illegible]
James W. Turley	D	[illegible]
Lizzie Ward	D	[illegible]
Robert J. Holly	D	[illegible]
Belle I. Quinton	D	[illegible]
Francis M. Boothe	D	[illegible]
Ames W. Lord	D	[illegible]
Agnes N. Childers	D	[illegible]
John E. Renfrow	D	[illegible]
William Coon	D	[illegible]
Louis Bruere	D	[illegible]
Georgia A. Waybourn	D	[illegible]
Elias Fields	D	[illegible]
William H. Brown	D	[illegible]
William A. Cox	D	[illegible]
Charles A. Robinson	D	[illegible]
Artha Williams	D	[illegible]
Adam Gearhart	D	[illegible]
Cicero F. Rogers	D	[illegible]
Annie Garrett	D	[illegible]
George S. Yarbrough	D	[illegible]

Rhoda A. Sanders	D	878	Ella Vann	D	1320
Manuel Spencer	D	884	Linnie Wofford	D	1330
Benjamin H. Hulbert	D	891	Minnie Downing	D	1332
Mary Brassfield	D	935	Katie Rider	D	1334
James L. Tindle	D	944	Samuel G. Mills	D	1337
Silas G. Reneckar	D	966	Alfred H. Woods	D	1342
Eliza Wofford	D	967	Cynthia Whitekiller	D	1352
Jasper L. Newton	D	971	Susie McSpadden	D	1361
John N. Guinn	D	974	Martha J. Houston	D	1363
Hannah Parson	D	989	Samuel M. Collier	D	1367
Nellie C. Helterbrand	D	1003	Katy Payne	D	1369
Thomas J. Welch, Jr.	D	1006	Joseph H. Warren	D	1375
Lizzie Christian	D	1010	Mattie Miller	D	1433
George Hazlewood	D	1013	S. F. Moore	D	1434
James M. Jones	D	1022	Addie Schrimsher	D	1448
Reuben A. Evans	D	1032	Fannie Vann	D	1458
Carrie H. Cobb	D	1049	Marcella Blakeney	D	1474
John M. Burns	D	1069	G. W. Williamson	D	1555
Sarah E. Henson	D	1083	C. [illegible] Walker	D	1558
Laura D. Henson	D	1086	Louisa Blevins	D	1567
Hettie E. Downing	D	1090	Frank Cowles	D	1584
Benjamin F. Crain	D	1099	Mary Frances Madding	D	1637
Benjamin Strickler	D	1129	Thomas Rodman	D	1661
Nancy Spaniard	D	1130	Katie Still	D	1866
Annie Wilson	D	1131	Ira Creach	D	1913
Ora H. Maxwell	D	1135	D. A. Mounts	D	1967
Reuben W. Moore	D	1136	J. C. Sefton	D	1991
Cora Childs	D	1146	Jennie Holland	D	2024
Janie Hughes	D	1179	Lou Sanders	D	2216
Francis B. Reid	D	1180	Caroline Barnes	D	2591
Martha Carey	D	1195	Lacey Crane	D	2592
Christina Johnson	D	1199	Daisy Cash	D	2595
Louvenia Ironside	D	1208	Hiram A. Landers	D	2599
Martha J. Henson	D	1218	Charles Neel	D	2603
David A. Martin	D	1228	Mattie Robinson	D	2605
Fred D. McEnery	D	1235	Jennie Rich	D	2606
Nathaniel R. Martin	D	1261	Alexander C. Russell	D	2607
James H. Requa	D	1266	Priscilla Ross	D	2608
Frank Carver	D	1267	Tom W. Reeves	D	2609
Etta B. Payne	D	1270	Mary Smart	D	2612
Mary Garrett	D	1271	Rufus Tidmore	D	2613
Joe W. Goodman	D	1272	Jasper Turquett	D	2614
Mathew J. Flanigan	D	1274	Mabel West	D	2618
Lizzie C. Holland	D	1285	Ophelia West	D	2619
Etta Downing	D	1291	Cora Whisenhunt	D	2620
William Caywood	D	1296	Katy Martin	D	2667
Clarence W. Turner	D	1307	Willis Butler	D	2686
Alfred Chaney	D	1313	Claud Barger	D	2687
Euphemia Sweetwater	D	1314	Dixie Conner	D	2698
Etta Russell	D	1319	John Colwell	D	2699

Herbert J. Couch	D	2700	Samuel A. Parkhurst	D	2821
Albert C. Dykes	D	2703	Ellen Rogers	D	2822
Delora Drew	D	2704	Elijah Rutland	D	2827
Frank J. Dauderson	D	2705	Hudson Steele	D	2828
James Gafford	D	2709	William M. Stracher	D	2829
Anna L. Harlin	D	2715	Sallie Tammeneese	D	2831
William R. Lapsley	D	2717	Mary Eunice	D	2832
Bertha Landrum	D	2718	Josie F. Wolf	D	2835
Lila More	D	2722	Rosie A. Ward	D	2840
John D. Mathews	D	2725	Winnie Daugherty	D	2854
Mary Mahroom	D	2735	Mary Gasburn	D	2865
Bertha Nuckles	D	2739	Lydia Long	D	2866
Richard Nichols	D	2741	Hattie Roberts	D	2867
William S. Ross	D	2759	Manda Ward	D	2869
Irene Riley	D	2779	Elmira J. Alberty	D	2885
William H. Rowley	D	2780	Thomas C. Cordray	D	2896
Columbus C. Scroggins	D	2788	Edward Fowler	D	2897
Della Summers	D	2789	Dora Foreman	D	2898
William S. Sago	D	2790	Parker Hoit	D	2899
Eliza Thomas	D	2798	John Hasson	D	2910
John F. Thurman	D	2799	George Hartin	D	2911
Mary E. Davis	D	2770	Permilia Johnson	D	2913
Jessie Trout	D	2773	Bertie Morton	D	2915
Lina Buffington	D	2780	Samantha Spade	D	2917
Will Black	D	2780	Mariah Ward	D	2918
Maggie L. Davis	D	2792	Ellen Watt	D	2919
Thomas Davis	D	2793	Nora Morton	D	2920
William Davis	D	2794	Lizzie Anderson	D	2951
Nancy Dawson	D	2796	Frances Durral	D	2954
Lena Fields	D	2797	Wade S. Hayes	D	2957
Effie Grayham	D	2799	James A. Hankins	D	2986
Alice C. Hill	D	2799	Joseph Hartzer	D	2991
Bertha M. Hartin	D	2800	Tennie Horn	D	2992
Margaret C. Hudson	D	2801	Evaline Hall	D	2993
Joseph A. Keffer	D	2803	John E. Lefevich	D	2995
Andrew G. Kepler	D	2804	Mattie Hanson	D	2994
Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Mathews	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shields	D	3000
John A. McKennie	D	2808	Nettie Young	D	3009
Jone McGee	D	2809	Jerre P. Alden	D	3045
Ollie Miller	D	2810	Almeda Ross	D	3052
William A. Marvin	D	2811	John S. J. Fowler	D	3055
Jesse P. Morrow	D	2812	Lonnie Hand	D	3056
Oliver Mason	D	2813	James D. Jackson	D	3057
Edna Whitehead	D	2814	Hanna G. Nolen	D	3058
Charley Nuckolls	D	2815	Alice Simms	D	3059
Etta M. Nuckles	D	2817	George O. Wallace	D	3060
Louiser Osborne	D	2818	Pauline Gay	D	3061
William H. Parramore	D	2819	Ellen Dove	D	3070

Lue Fish	D	3084
Horace Gray	D	3082
Lula Pack	D	3083
Lelia C. Hamm	D	3084
Thomas Jones	D	3085
Benjamin Laws	D	3090
Martha Spade	D	3092
Julian Wyrick	D	3093
Samuel Hanlan	D	3157
Lizzie Thamie	D	3171
Jack Michael	D	3172
Sarah E. Davis	D	3176
Grace Guthrie	D	3181
Mary E. Thomson	D	3183
Mamie Thompson	R	4
Jennie G. Thompson	R	5
William T. Kelly	R	10
Alice Tidwell	R	19
Rosenna McLaughlin	R	41
Martha A. Perdue	R	45
Gabriel L. Payne	R	61
Della Baldridge	R	105
Samuel Richey	R	107
Malissa Fields	R	144
Fred Zimmerman	R	220
Ella Anspach	R	241
Michael R. Mizer	R	266
Belle A. Powell	R	352
Austin L. Hill	R	420
Mary L. Dudley	R	439
Stephen Haslett	R	465
Mary A. Payne	R	484
Rebecca Bunge	R	562
Sarah Wilson	R	613
Dora Crane	R	628
Andrew Strell	R	642
John Strell	R	642
Lillie May Wilson	R	643
Ollie A. Barger	R	656
Ida Hawkins	R	671
Lizzie Davis	R	761
Clara M. Emmons	R	803

THE RECORD FURTHER SHOW: That said persons posses no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1900, in the case of Daniel Red Bird, et al., vs. the United States, Nos. 235, 236, 237 and 238, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____
Commissioner.

Dated at Muskogee, Indian Territory,

this January 30, 1901.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mrs. Maggie Baldridge,

Rose, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of your marriage.

Yours truly,

Cherokee D-281

Register.

Acting Chairman.

Cherokee D 251

Muskogee, Indian Territory, March 29,1902.

Maggie Baldridge,

Salina, Indian Territory.

Madam:

You were recently notified by r egistered letter that the matter of the application made for your enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission on the 21st day of February, 1902, and you were required to supply the Commission with a certificate of your marriage.

You failed, however, to furnish this evidence, and as it is a matter of very great importance to you, you will be given another opportunity to supply the information requested.

Your husband testified that he was married to you about four years prior to the date of his application for your enrollment. This is considered too indefinite and the Commission must be informed as to the exact date of your marriage in order to arrive at a decision in your case.

If it is impossible for you to procure your marriage certificate or a copy of the same it will be necessary to establish the fact of your marriage as having taken place prior to December 16, 1895.

Unless the evidence required is supplied to the Commission on or before the 25th day of April, 1902, the Commission will find it necessary to proceed to a determination of your case without the

evidence referred to.

You are therefore requested to give the same your prompt attention.

Yours truly,

Commissioner in Charge.

Register.

COPY

Cherokee D-261.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Archilla Baldridge for the enrollment of his wife, Maggie Baldridge, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. 1-10.

Copy.

Cherokee D-251

Muskogee, Indian Territory, February 8, 1905.

Archilla Baldridge,

Nash, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1905, granting your application for the enrollment of your wife, Maggie Baldridge, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tibbles Bixby.
Acting Chairman.

Enc. H-2186

Register.

Cherokee
10079

Muskogee, Indian Territory, January 10, 1907.

Maggie Baldridge,

Rose, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. R

Commissioner.

Cherokee 12870

Muskogee, Indian Territory, March 12, 1907.

Maggie Baldridge,
Nowata, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner.

Cherokee
5 et al.

Washington, Indian Territory, March 24, 1897.

W. W. Hastings,
Attorney for Cherokee Nation,
Washington, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 29, 1897, rejecting the application for the enrollment of Jesse Vatcon, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 29, 1897.

For your information, there is enclosed herewith a copy of Department decision referred to.

Respectfully,

Encl.C-190
WMK

Cher 10080

David R. Stubblefield

Trans. from D254

Cher 10080

DEPARTMENT OF THEINTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

PRYOR CREEK, I.T.September 11, 1900.

IN THE MATTER OFTHE APPLICATION OF DAVID R. STUBBLEFIELD, WIFE AND CHILDREN FOR ENROLLMENT ASCITIZENS OF THE CHEROKEE NATION/ THE SAID DAVID R. STUBBLEFIELD BEING DULY SWORN BY COMMISSIONER T.B. NEEDLES TESTIFIED ASFOLLOWS:

Q Whatis your name? A David R. Stubblefield.
Q What is your age? A Thirty-one.
Q What is your post office address ? A Pryor Creek I.T.
Q What district do you live in, A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A By interm arriage, yes, sir.
Q Your father and mother are noncitizens? A Yes, sir
Q What is the name of your wife? Mary C.
Q What was hername before she married you,
A Mary C. Martin.
Q What isher father's name? A Jerry Martin.
Q What is her mother's name? A Ruth Martin.
Q Are they citizens of the Cherokee Nation? A Yes, sir.
Q When were you married? A May 13th, 1895.
Q Have you any children? A We have one living and two dead
Q What is the name of the one living? A Myrtle Irene.
Q How old is she? A Tyeyears old.
Q Is your wife living? A Yes, sir.
Q What is her age? A Twenty-nine.
Q You present a certificate of admission issued from the Executive Department of the Cherokee Nation dated at Talequah, April 10, 1890, signed by C. J. Harris, Assistant Executive Secretary, issued under the great seal of the Cherokee Nation, certifying that certain parties were admitted to citizenship and in this certificate I find the name of M.C.Martin. Is she the M.C.Martin who is now claimed by you as your wife, and desired to have enrollment ?
A Yes, sir.

BY MR. HASTINGS, (Representative of the Cherokee Nation)
Q How long had you known your wife before you married her?
A Three years
Q Were didyou marry her? A I first married her in Texas..
Q You got acquainted with her inTexas? A Yes, sir.
Q When didyou marry her first? A In 1890.
Q She had never lived in the Cherokee Nation before hat time?
A No, sir.
Q When didyou move to theCherokee Nation?
A I moved ther e in 1894.
Q And then you married in 1895?
EXAMINATION CONTINUED BY COMMISSIONER NEEDLES:
Q You have been living here continuously since hat time?
A Yes, sir.
(Applicant hom identified on roll 1896, page 324, No. 934, David R. Stubblefield, Coowescoowee District.)
(Mary C? Stubblefield identified on Roll 1896, page 322, No. 888 Mary C. Stubblefield, Coowescoowee District.
Q Have you got any proof of birth as to thisyounger child?
A I have this, (Exhibiting paper)

The name of David R. Stubblefield appearsupon the census roll of 1896/ and the name of his wife Mary C. Martin appears upon the Census roll of 1896. Applicant presents a certificate of admission on

more particulary described in the testimony, certifying that his wife M. C. Martin was admitted to Cherokee Citizenship by the Commission at Talequah on the 12th day of January, 1883, and he also presents a marriage license duly certified, certifying that he was married to the said Mary C. Martin, whose name appears on the certificate of Admission according to the laws of the Cherokee Nation, on the 13th day of May, 1895. The testimony also shows that the said Mary C. Martin moved from Texas to the Cherokee Nation in the year 1894. Said David R. Stubblefield and his wife Mary C. are identified upon the roll of 1896, she as a Cherokee citizen by blood and he as a Cherokee citizen by intermarriage. He avers that he has a child born since the census roll of 1896 was compilled,

Because of the fact that there was former residence in the State of Texas and removal to the Cherokee Nation, Texas being the birth place of the said Mary C. Martin, and the length of time between the admission of the said Mary C Johnson and removal to the Cherokee Nation, final judgment as to the application of the enrollment of the applicant and his wife will be suspended. The proof of birth as to his child Myrtle Irene will be required in order to complete its doubtful enrollment.

The undersigned being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct and complete transcript of his stenographic notes thereof.

William T. Mellon

Subscribed and sworn to before me this 11th day of September 1900.

C. R. Breece

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 11 1900

Department of the Interior,
Commission to the Five Civilized Tribes,
Pryor Creek, I T., September 11, 1900.

In the matter of the application of David R. Stubblefield for enrollment as a Cherokee by intermarriage and for the enrollment of his wife, as a Cherokee by blood; being sworn and examined by Commissioner Needles, he testified as follows:

Q What is your name? A David R. Stubblefield.
Q What is your age? A 31.
Q What is your post office address? A Pryor Creek.
Q What district do you live in? A Cowescoowee district.
Q Are you a recognized citizen of the Cherokee Nation? A By intermarriage.
Q How long have you lived in the Cherokee Nation? A Six years.
Q Where did you live before that? A Texas.
Q Your father and mother are non citizens? A Yes, sir.
Q What is the name of your wife? A Mary C. Stubblefield.
Q What was her name before you married her? A Mary C. Martin.
Q Is she a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q What is her age? A 29.
Q Have you a certificate of marriage? A Yes, sir.
Q What is the name of her father? A Jerry Martin.
Q Is he living? A Yes, sir.
Q What is the name of her mother? A Ruth.
Q Is she living? A Yes, sir.
Q Is your wife's name upon the authenticated roll of 1880?
A No, sir.
Q By what right does she claim citizenship? A She was admitted in 1883.
Q Have you got a certificate of admission? A Old lady Martin has.
Q Is she here? A Mmix, No sir, you had it here yesterday.
Q Well you bas better get your certificate of admission. We will finish you case when you bring that certificate
(continued)

———o———

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 11th of September, 1900.

C. R. Needles

Commissioner.

9234

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 11 1900

D207

13

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 11 1900

ACTING CHAIRMAN.

COOWEE.

CHEROKEES BY BLOOD AND ADOPTION.

(21)

Date SEP 11 1900 1900.

Name David A. Littlefield, Bryan Texas, D.C.

District COOWEESCOOWEE. Year 1896 Page 324 No. 934

Citizen by blood C10 Mother's citizenship

Intermarried citizen Dft

Married under what law Date of marriage May 13, 1895

License Certificate

2 Wife's name Mary L. Littlefield

District Year 1896 Page 362 No. 1616

Citizen by blood Mar Mother's citizenship Cherokee Creek Henderson

Intermarried citizen Dft Texas

Married under what law Date of marriage

License Certificate

Names of Children:

3 Myrtle E. Littlefield Dist. Year Page No. Age 2

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

3 Affidavit of birth to be supplied

"Doubtful"

Dft

D 264

19

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 11 1900

ACTING CHAIRMAN

D 297

D —

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of the

Cherokee Nation.

Approved, SEP 12 1900 190

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 12 1900

[signature]

Acting Commissioner.

[illegible]

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

Myrtle Irine Stubblefield (Give full name of child.) born on the 14 day of Oct, 1898

Name of Father: David R Stubblefield of the Cherokee Nation.

Name of Mother: Mary C. Stubblefield citizen of the Cherokee Nation.

Post-office, Afton Craig & Ley

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
In Town District. }

I Mary C. Stubblefield, on oath state that I am 29 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of D R Stubblefield, who is a citizen, by Ad-Ship of the Cherokee Nation; that a female child was born to me on the 14 day of Oct 1898; that said child has been named Myrtle I Stubblefield, and is now living.

Mary C Stubblefield

(Witness to mark)

Subscribed and sworn to before me this 17 day of Sept, 1900.

D. G. Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
District. }

I H Ley a Physician, on oath state that I attended on the Mary C. Stubblefield wife of David R. Stubblefield on the 14 day of Oct, 1898; that there was born to her on said date a Female child; that said child is now living and is said to have been named Myrtle Irine Stubblefield

H H Ley M.D.

(Witness to mark)

Subscribed and sworn to before me this 17 day of Sept, 1900.

D. G. Elliott
NOTARY PUBLIC.

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT } ss

In the matter of the application of David R. Stubblefield for enrollment as a Cherokee ~~Freedman~~ Citizen

No. C. D. 22—

Ernest Pack of lawful age, being duly sworn on oath states that on the 13th day of February A. D., 1902, he registered to David R. Stubblefield whose postoffice is Rhea's Mill Ind Ter ~~Indian Territory~~, a notice, a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Tiawah Indian Territory; and that on the 17th day of February, 1902, he received the return card which is hereto attached, signed by the said David R. Stubblefield showing that he had received said notice.

Ernest Pack

Subscribed and sworn to before me on this the 18th day of February A. D. 1902

J. C. Starr Notary Public.

D 254

Marriage License.

Cherokee Nation.
Coowescoowee District.

To any person legally authorized to solemnize marriage, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of marriage between D. R. Stubblefield, a citizen of the United States, and Mrs. Mary C. Stubblefield, (nee Martin) a citizen of the Cherokee Nation, and you are required to return this license to be for record within thirty days from the celebration of such marriage, with a certificate of the same indorsed thereon and signed by you.

Given under my hand and seal of office on this the 13th day of May, 1895, A. D.

Jos M. Lahey,
Clerk of Coowescoowee Dist.
C. N.

S E A L

This is to certify that I, Jos M. Lahey, Clerk of Coowescoowee District, C. N. Joined in the Holy Bonds of Matrimony, D. R. Stubblefield and Mrs. Mary C. Stubblefield (nee Martin) on this the 13th day of May 1895, A. D.

Signed, Jos M. Lahey,
Clerk of Coowescoowee District. C.N.

S E A L.

Recorded in Book of Marriage Licenses Page 19, records of Coowescoowee Dist. C. N.
This 13th day of May 1895.
J. M. Lahey, Clerk Coo Dist C.N.

Department of the Interior.

Commission to the Five Civilized Tribes.

Muskogee, I. T. February 8, 1902

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of David R. Stubblefield, as a citizen of the Cherokee Nation.

Commissioner.

S A V E

Clerk of Commissioners District, D.C.,
Washington, D.C.,

Commissioners to Clerk, dated May 1, 1895, A.D.
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2574
Ch. 204

D254

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I received the within notice on _____ and served the same on _____ by delivering a true copy thereof on the _____ day of _____ A. D. 190__.

Given under my hand this _____ day of _____ A. D. 190__.

_____
Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the _____ day of _____, 190__.

_____
Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I do solemnly swear that I delivered a true copy of the within notice to _____ on the _____ day of _____ A. D. 190__.

Subscribed and sworn to before me this _____ day of _____

_____
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 18 1902

NOTICE!

IN THE MATTER OF the application of David R. Stubblefield for enrollment as Cherokee citizens:

Case No. D 254

To David R. Stubblefield, Rhea's Mill, Texas.

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on February 21st, 1902, at 8 o'clock A. M. or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this 14th day of February, 1902.

W. W. Hastings

Attorneys for the Cherokee Nation.

"R"
M
D 254

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 21, 1902.

In the matter of the application of David R. Stubblefield, for the enrollment of himself, wife and child as citizens of the Cherokee Nation .

Appearances:
J. Howard Langley, Pryor Creek, I. T., for applicants;
W. W. Hastings, for the Cherokee Nation.

TESTIMONY ON BEHALF OF CHEROKEE NATION.

W. J. WHITAKER, being sworn and examined, testified as follows:

Examined by Mr. Hastings:

Q What is your name ? A W. J. Whitaker.
Q What is your age ? A 48.
Q Your post office address ? A Pryor Creek.
Q How long has that been your post office ? A About 12 years.
Q Do you know David R. Stubblefield ? A Yes sir.
Q Her formerly lived at Pryor Creek ? A Yes sir.
Q Doesn't live there now ? A No sir.
Q How long has he been away from there ? A He left there last fall sometime.
Q Is he a man of family ? A Yes sir; has a wife and some children. I don't know how many children.
Q Do you know where he resides now ? A Somewhere in Texas.
Q Are his wife and children with him ? A Yes sir.
Q You don't remember what time last fall he left ?
A Don't remember exactly, it might have been the year before. Somewheres about a year.
Q Do you know whether he has moved to Texas or not ?
A It is my understanding that he has moved. He don't live there.
Q Do you live in Pryor Creek ? A Yes sir.
Q He lived there before he went away ?
A Yes sir, he was ~~marshal~~ marshal.
Q The truth of the matter is he got in trouble up there and had to kill a fellow, and he was tried, and acquitted, and after that trial he moved to Texas ? A Yes sir, he killed a man, had a trial, come clear and moved to Texas.
Q Do you know how long he had lived in Pryor Creek prior to that time ? A No sir I don't know exactly how long. I don't remember when he first come there. He was marshal there quite a while.

Examined by Mr. Langley:

Q Do you know whether Mr. Stubblefield has any property in Pryor Creek at this time ? A It is my understanding that he has.
Q He owns a residence in the town of Pryor Creek does he not ?
A It is my understanding that he owns a house and lot there, but I don't know.
Q Does he own a farm out three or four miles from town ?
A It is my understanding also, that he owns a farm.
Q Wasn't he there in Pryor Creek last May living there ?
A If I knew when his trial was I could answer that.
Q Wasn't his trial in May, 1901 ? A Sometime in the spring.
Q It was 1901 that he got into this trouble ?
A I think it was yes sir, last fall sometime.
Q Wasn't he living on his farm at the time he got into this trouble ? A I think he was living in town is my understanding.
Q Who his farm rented out ? A I think it was.

D [illegible]

Q Do you know whether he intends to make Texas his permanent home, or is just down there temporarily ?
A I do not know.
Q From whom do you get your information that he has gone there to live ?
A Well, I had an understanding that he went away from there, and in fact I don't know that he has gone there to stay. He is in Texas, is my understanding, or he went to Texas. But then I don't know that he has gone there to make it his permanent home. Very often they go away and then come back.

The Commission: Do you submit this case Mr. Langley for the final consideration of the Commission ?
Mr. Langley: Yes sir.
The case is also submitted by the representatives of the Cherokee Nation.

The Commission: The Cherokee Nation makes satisfactory proof of service on the said David R. Stubblefield, that testimony would be introduced in the matter of the application for the enrollment of himself as a citizen of the Cherokee Nation, by the representatives of the Nation tending to disprove his right to enrollment as a citizen of the Cherokee Nation.

Mr. Hastings: Said notice shows that it was received by him at Rheas Mills, Texas.

Commission: Attorney for applicant will be granted ten days in which to file a brief in this case, one copy with the Commission and one with the representatives of the Cherokee Nation.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the matter of the application of David R. Stubblefield for enrollment as a Cherokee citizen, and that the above and foregoing is a true and accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this February 24, 1902.

[signature]

Commissioner.

Cherokee 3-354.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 3, 1902.

In the matter of the application of David R. Stubblefield for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary C., and child Myrtle I. Stubblefield, as citizens by blood of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A David R. Stubblefield.
Q What is your age? A 32.
Q What is your postoffice? A Rheas Mills, Texas.
Q When you applied before you gave your postoffice as Pryorcreek?
A Yes sir, that is our home.
Q Are you the same David R. Stubblefield for whom application was made as an intermarried citizen to this Commission on September 11, 1902? A I am.
Q What is your wife's name? A Mary C.
Q She is a Cherokee by blood? A Yes sir.
Q When were you and your wife married? A Married May 13, 1895.
Q Were you ever married prior to your marriage to this wife? A No sir.
Q Was she ever married prior to her marriage to you? A No sir.
Q She is your first wife and you are her first husband? A Yes sir.
Q Have you and she lived together as husband and wife all the time up until the present time? A Yes sir.
Q Never been separated since your marriage? A No sir.
Q You have never married any other woman? A No sir.
Q You and she were living together on the first day of September, 1902? A Yes sir.
Q How long have you lived in the Cherokee Nation? A We moved here in the fall of '94.
Q Have you lived in the Cherokee Nation all the time since 1894 to the present time? A No, we haven't.
Q How long did you live here after '94? A We lived here on up until February, 1901.
Q Did you live in the Cherokee Nation from the time you were married to your wife, Mary C., up until February, 1901, al the time? A Yes sir.
Q How long did you wife live in the Cherokee Nation? A Why we moved here at that time.
Q You married her before you came to the nation did you? A Yes sir.
Q And then after you came here you remarried her in '95 under Cherokee law? A Yes sir.
Q Where were you married the first time? A In Kinney, Texas.
Q When were you married the first time, you and your wife, how long before you came here? A We married in '89 I believe.
Q You were married the first time under Texas law, is that right?
A Yes sir.
Q What after your marriage did you and your wife come to the Cherokee Nation together? A Yes sir, in four years I think after we were married.
Q You came here then in '94 together? A I think that was the year.
Q Was your wife admitted after she came here or before she came? A Before, in '93 I think; you have the papers here.
Q Well now, had she ever lived in the Cherokee Nation after she was admitted before you and she came here after your marriage? A No sir.

Q When you and she came here in '94 that was the first time she had been in the nation after she was admitted to citizenship to live? A Yes sir.
Q Then after you came in '94, in '95 you took out a Cherokee license and was married to her? A Yes sir.
Q And you lived here all the time from the time you came here in '94, you and your wife both, up until February, 1901? A I think that is the date, yes sir.
Q Then since 1901 you have been living in Texas? A Yes sir, temporarily; our home is in Tuscumbia, everything we have got.
Q What are you doing in Texas? A Ranching.
Q Your wife and child are down there with you? A Yes sir; they are down there; I have been back several times since.
Q There was this child Myrtle L. born? A She was born in the territory.
Q She has lived with you and your wife since her birth? A Yes sir.
Q Is Myrtle L. living, and your wife living at this time? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 30th day of October, 1902.

B. G. Jones
Notary Public.

COMMISSION OF NATURALIZATION
OCT 20 1902

In the matter of [illegible]

Q When you say, she came here in '98 that was the first time she had been in the United States she was admitted to citizenship to there? A Yes sir.

Q Then after you came in '98, in '98 you took out a Chinese Certificate and was remarried to her? A Yes sir.

Q And you lived here all the time from the time you came here in '98, you & your wife both, up until February, 1901? A I think about the time, yes sir.

Q When before 1901 you have been living in Texas? A Yes sir.

Q Then you have been home in Syracuse, everything we have got.

Q Where was your daughter born? A Texas.

Q Where was your wife born there with and could she speak with you? A Yes sir; they were born there; I have been back several times since.

Q Where was this child Myrtle I. born? A She was born in the territory.

Q She has lived with you and your wife since her birth? A Yes sir.

Q Is Myrtle I. living, and your wife living at this time? A Yes sir.

The witness, being duly sworn, states that an stenographic the Commissioner to the Tribunal Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 20th day of October, 1902.

Notary Public.

D254

D-254.

David R. Stubblefield, et al.

Applicant's Brief.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 3 1902

In the matter of the enrollment of David R. Stubblefield, his wife Mary C., and daughter, Myrtle Irene, as cotizens of the Cherokee Nation.

Applicant's Brief.

Before property rights can be determined the relation of all of the parties thereto should be ascertained. If property rights are to be passed upon in the determining of this case, what is that property right that is to be passed upon ?The right,which is the common inheritance of each and every recognized citizen of the Cherokee Nation , of the enjoyment and, finally, equal division, of the property now belonging to the Cherokee Tribe of Indians as a whole. Then, in passing upon the enrollment,as a citizen of the Cherokee Nation , of the applicant, his wife and child, this commission is passing squarely upon the property rights of these people. Then the nature and extent of that right ought to be ascertained. We take it that the citizenship court of the Cherokee Nation, in the admission of applicant's wife to citizenship in 1883, gave her ; nor did the Cherokee Nation give her anything in said act of admission. Nothing further was done in said act of admission than to declare and proclaim and recognize in her that right which had existed since her birth; and cloth her with the privilege of the enjoyment of her heritance. Then the Cherokee Nation could attach no condition to her enjoyment of her inheritance which was not common to every other Cherokee Citizen; nor do we claim for her any wider range of privileges with reference to the enjoyment of her rights than that of any other citizen.

We will start with applicant's wife, since she is the fountain head of the rights of applicant and his daughter; a Cherokee citizen, in 1883 duly recognized, 12 years old; with all of the rights of property in her which are incident to Cherokee citizenship; rights

which she acquired by inheritance, and acknowledged and established in 1883 by proceedings proper and right: now when and where and under what circumstances is she claimed to have divested herself of her rights of inheritance, and the right of enjoyment of which she had been restored by those having an interest therein common with her self? It cannot be contended that her removal from the limits of the Nation and her becoming a citizen of another government cut off her rights; for there is no testimony tending to show that she ever did remove from the Cherokee Nation to Texas, except, possibly, in 1901, or to any other state, country or principality.

It may be inferred from the testimony that applicant's wife lived in the state of Texas at the time she was admitted to citizenship, and that she remained there until 1894 when she came , with applicant, to the Cherokee Nation . But wherever she was in 1883, she was declared to be a Cherokee citizen with all of the rights and privileges of such, and if her enrollment is now denied it must be done upon the theory that by continued stay out of the limits of the Cherokee Nation from 1883 to 1894 she forfeited her right to citizenship therein.

But a forfeiture, I take it, can be had only upon the person claiming the benefit thereof bringing the case clearly within the conditions upon which forfeiture would result; and especially should this be true where the breach of the condition (in this case the condition being residence in the C. N.) is a breach of a condition subsequent, and without injury to the party claiming the benefit to the forfeiture.

"Forfeitures are not favored in the law, they are often the means of oppression and injustice, and where adequate compensation can be made the law in many cases, and equity in all cases, discharges the forfeiture upon such compensation being made". Knickerbicker Ins. Co. vs Norton, 96 U. S. 234.

According to this doctrine a court of equity would set the for-

feiture in this case aside, (if indeed forfeiture is present) upon compensation being made to the Cherokee Nation. What compensation would it take to make the Cherokee Nation whole on accountof the applicant's wife and the applicant and their daughter remaining out of the Cherokee Nation untill 1894 ? It can claim no damage. Then, a court of equity would set the forfeiture aside. Can your honorable body do less?

But these people, applicant, wife and baby, have still another safeguard, principal of law which they ask extended around them at this time; and that is that the Cherokee Nation has taken no affirmative action to complete the forfeiture claimed. On page 1077 of the 13, VoL of the 2nd. Ed. of Am. & Eng. Ency. of Law is said - "When a forfeiture is provided for upon a breach of a condition, or other contingency, the forfeiture is generally held not to be complete so as to vest the property in the person to take by the forfeiture, without affirmative action on his part". citing cases. Nor is this doctrine applicable alone to individuals; for in the following page of the same volume and work in the notes is - "In Minneapolis ect. R. Co. vs Duluth ect. R. Co. 45 Minn. 104, it was held that where lands were granted to a railroad company upon certain conditions subsequent, such grant was not forfeited by the mere breach of the condition, but only by some affirmative action on the part of the state after the breach".

What"affirmative action" has the Cherokee Nation taken from 1883, the date of applicant's wife's admission, to the 11th. day of Sept. 1900, the date applicant's application to this commission for enrollment, to complete the forfeiture in this case so as to vest the property forfeited in the remainder of its citizens ?The records do not show any; we know of none; there certainly has been none.

Not only has the Cherokee Nation been silent and still in the matter of taking action to complete the forfeiture, but it has been active in doing things absolutely inconsistent with its intention to

claim forfeiture against applicants wife, thus cutting applicant and his child off from their rights. In otherwords, if there ever was a forfeiture in this case the Cherokee Nation has waived it ; waived it long ago; waived it not only by inaction when it was its duty to speak, but waived by acts toward applicant and his wife and baby which are absolutely inconsistant with any other idea than that of waiver; and an intentional waiver. The most solemn act of waiver, as I see it, and indeed I cannot see how it could be possible for the Cherokee Nation to more openly waive its right, was in the enrolment of applicant, his wife and baby on the tribal rolls of 1896.

Beside all of which applicant's wife , on the 11th. day of Sept. 1900, the date of application for enrollment, we think, was clearly entitled to enrollment under the provissions of Sec. 21, of the act of June 28, 1898, the "Curtis Bill".

Now, as to applicant's departure from the Cherokee Nation, as shown by the testimony of W. T. Whitaker taken before the commission on the 21st. day of Feby, 1902.

The applicant, according to the testimony, and it was not denied, was living in Coo-wee-scoo-wee District, of the Cherokee Nation, on Sept. 11th, 1900, the date when he applied to this commission for enrollment; and had lived in the Cherokee Nation continuously since 1894, and if he was entitled toenrollment of himself and his wife and child at that time as a member of the Cherokee Tribe of Indians , any act commited since that time certainly cannot have a retrospective effect on the rights of applicant, his wife and child, or any of them.

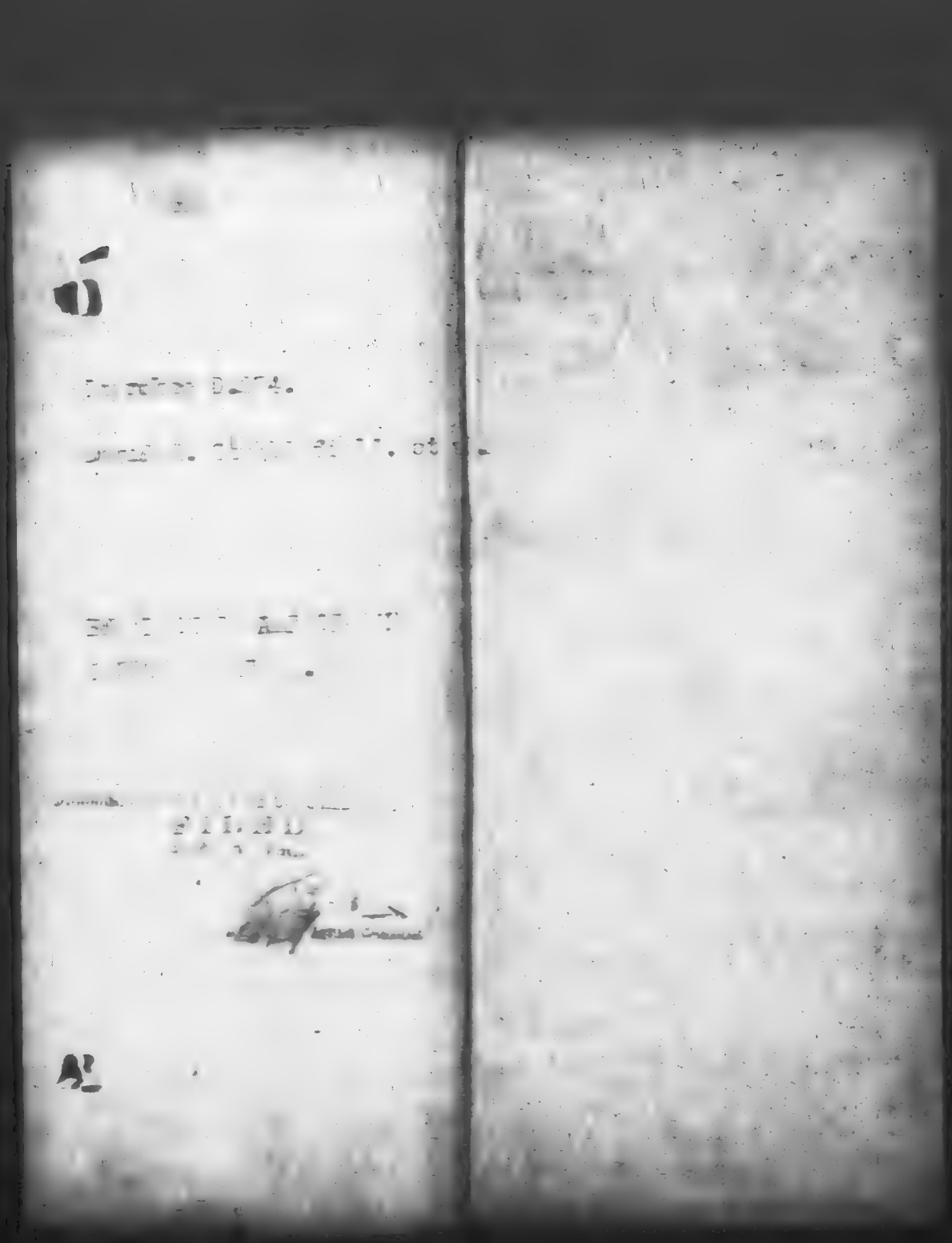
And if it be contended that applicant, in his departure from the limits of the Cherokee Nation in 1901, or at any time since his application to the commission for enrollment ,be a forfeiture of his citizenship right, the forfeiture certainly mustdate

only from the date of the commission of the act upon which the forfeiture results, and cannot effect the rights of the parties at an early day. We no of no requirment binding a citizen to remian within the confines of the Cherokee Nation,except the constitution of the Cherokee Natiam, and under that,if he leaves some of his effects he does not forfeit his rights; and in Mr. Whitaker's testimony, above refered there is evidence that applicant left property in the Cherokee Nation, a farm with a tenant thereupon, and property in the town of Pryor Creek, Cherokee Nation. So there is no forfeiture, even since his original application, Sept. 11, 1900, under the very strictest construction against applicant, of the conditions upon which forfeiture may result. And if there be forfeiture since Sept. 11, 1900 it certainly cannot effect the applicant's wife and child . For it is the duty of the wife to go with her husband, see Rodgers Dom. Rel. Sec. 172. And the law grants to the wife a residence separate from that of her husband when neccessary for the protection of her rights , see Rodgers Dom. Rel. Sec. 182. And the child, owing to her minority , could not forfeit her rights.

Attorney for applicant.

Copy with the representatives of the Cherokee Nation.

J.H.L



DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., [illegible] April 4, 1902.

In the matter of the application of
David R. Stubblefield, et al. for
enrollment as citizens of the Cherokee
Nation.

Cherokee R. 234.

BRIEF OF THE [illegible].

David R. Stubblefield applies for himself as an intermarried citizens and for his wife and children as citizens of the Cherokee Nation by blood. His wife was born in the state of Texas, but was admitted to citizenship in the Cherokee Nation in the year 1883; she remained in Texas until 1874, after she had been married four years, and after a number of her children had been born, before she removed to and identified herself with the Cherokee Nation. The age of Miss Pitt in 1902 at the time the application was given as twenty-nine. She had therefore reached her majority eleven years prior to that time, or in the year 1889, which was some five years before she removed to the Cherokee Nation.

In order to complete her citizenship in the Cherokee Nation it is contended that she should have within a reasonable time removed to and permanently located within the limits of the Cherokee Nation. She married in Texas; gave birth to children there, and made it her home for four years after her marriage; and the testimony shows that they have returned to the place of her birth, and that they are now residing in the state of Texas.

Counsel for applicants in his brief contends that we should bring some sort of action in the courts to declare a forfeiture of citizenship. This contention will certainly not

be seriously considered by the Commission, because the burden of proving their right to be listed for enrollment as citizens of the Cherokee Nation is upon the applicants themselves; and they must show that they have complied with the Constitution and laws of the Cherokee Nation as well as the act of Congress relating to Cherokee citizenship. But this Commission is the very court to try all of these questions, and takes the place of all tribunals of every kind and character heretofore established with jurisdiction to determine the question of a person's right to enrollment as a citizen of the Cherokee Nation. And therefore any and all questions which could heretofore be presented to the Cherokee Council or any court may be presented to the Commission.

In connection with this application of the Commission is called to that of the ~~examination~~ mother of applicant's wife, Ruth E. Martin, in Cherokee Doubtful Class No. 448.

Respectfully submitted,

W. W. Hastings

Attorney for the Cherokee Nation.

No. 2254

IN RE

Application for Enrollment of

INFANT CHILD

Lena V. Stubblefield

as a citizen of

Cherokee Nation.

Approved, Oct 31 1907

T. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 8 1902

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Lena V. Stubblefield, born on the 3rd day of March, 1902

Name of Father: David R. Stubblefield, a citizen of the Cherokee Nation.

Name of Mother: Mary C. Stubblefield, a citizen of the Cherokee Nation.

Post-office, Rhea Mills, Texas

AFFIDAVIT OF MOTHER.

[redacted]

State of Texas }
County of Collins }

I, Mary C. Stubblefield, on oath state that I am 30 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of David R. Stubblefield, who is a citizen, by adoption, of the Cherokee Nation, that a female child was born to me on the 3rd day of March, 1902; that said child has been named Lena V. Stubblefield, and is now living.

Mary C. Stubblefield

(Witness)

Subscribed and sworn to before me this 10th day of June, 1902

W. B. Haugle,

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

[redacted]

State of Texas }
County of Collins }

I, W. R. Mathers, a physician, on oath state that I attended Mrs. Mary C. Stubblefield, wife of David R. Stubblefield, on the 3rd day of March, 1902; that there was born to her on said date a female child; that said child is now living and is said to have been named Lena V. Stubblefield.

W. R. Mathers

(Witness)

Subscribed and sworn to before me this 10th day of June, 1902.

W. B. Haugle

NOTARY PUBLIC.

Cherokee D-254.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 3, 1902.

In the matter of the application of David R. Stubblefield for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary C., and child Myrtle I. Stubblefield, as citizens by blood of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A David R. Stubblefield.
Q What is your age? A 32.
Q What is your postoffice? A Moore Hills, Texas.
Q When you applied before you gave your postoffice as Pryorcreek?
A Yes sir, that is our home.
Q Are you the same David R. Stubblefield for whom application was made as an intermarried citizen to this Commission on September 11, 1900? A I am.
Q What is your wife's name? A Mary C.
Q She is a Cherokee by blood? A Yes sir.
Q When were you and your wife married? A Married May 13, 1895.
Q Were you ever married prior to your marriage to this wife? A No sir.
Q Was she ever married prior to her marriage to you? A No sir.
Q She is your first wife and you are her first husband? A Yes sir.
Q Have you and she lived together as husband and wife all the time up until the present time? A Yes sir.
Q Never been separated since your marriage? A No sir.
Q You have never married any other woman? A No sir.
Q You and she were living together on the first day of September, 1902? A Yes sir.
Q How long have you lived in the Cherokee Nation? A We moved here in the fall of '94.
Q Have you lived in the Cherokee Nation all the time since 1894 to the present time? A No, we haven't.
Q How long did you live here after '98? A We lived here on up until February, 1901.
Q Did you live in the Cherokee Nation from the time you were married to your wife, Mary C., up until February, 1901, all the time? A Yes sir.
Q How long did you wife live in the Cherokee Nation? A Why we moved here at that time.
Q You married her before you came to the nation did you? A Yes sir.
Q And then after you came here you remarried her in '95 under Cherokee law? A Yes sir.
Q Where were you married the first time? A In Kinney, Texas.
Q When were you married the first time, you and your wife, how long before you came here? A We married in '89 I believe.
Q You were married the first time under Texas law, is that right?
A Yes sir.
Q Then after your marriage did you and your wife come to the Cherokee Nation together? A Yes sir, in four years I think after we were married.
Q You came here then in '94 together? A I think that was the year.
Q Was your wife admitted after she came here or before she came? A Before, in '95 I think; you have the papers here.
Q Well now, had she ever lived in the Cherokee Nation after she was admitted before you and she came here after your marriage? A No sir.

Q When you and she came here in '94 that was the first time she had been in the nation after she was admitted to citizenship to live? A Yes sir.
Q Then after you came in '94, in '95 you took out a Cherokee license and was remarried to her? A Yes sir.
Q And you lived here all the time from the time you came here in '94, you and your wife both, up until February, 1901? A I think that is the date, yes sir.
Q Then since 1901 you have been living in Texas? A Yes sir, temporarily; our home is in Prycreeek, everything we have got.
Q What are you doing in Texas? A Working.
Q Your wife and child are down there with you? A Yes sir; they are down there; I have been back several times since.
Q Where was this child Myrtle I. born? AShe was born in the territory.
Q She has lived with you and your wife since her birth? A Yes sir.
Q Is Myrtle I. living, and your wife living at this time? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 20th day of October, 1902.

B. C. Jones
Notary Public.

COMMISSION TO THE ...
FILED
OCT 20 1902

Cherokee D-254.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of David R. Stubblefield as a citizen by intermarriage, and for his wife, Mary C. Stubblefield, and their minor children, Myrtle I. Stubblefield and Lena V. Stubblefield, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record shows that on September 11, 1900, David R. Stubblefield appeared before the Commission at Pryor Creek, Indian Territory, and made application for the enrollment of himself as a citizen by intermarriage, and for his wife, Mary C. Stubblefield, and their minor child, Myrtle I. Stubblefield, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on February 21, 1902, and again on October 3, 1902.

The evidence shows that David R. Stubblefield was married, under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, on May 13, 1895, to his said wife, Mary C. Stubblefield, nee Martin, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on January 12, 1883. As a result of that marriage, their minor child, Myrtle I., was born.

The evidence further shows that, subsequent to the date of the original application herein, there was born to David R. Stubblefield and Mary C. Stubblefield, on the 3rd day of March, 1902, a female child, Lena V. Stubblefield. Application is, therefore, made for said minor child's enrollment.

David R. Stubblefield and his wife, Mary C. Stubblefield, have lived together continuously since their marriage up to and including September 1, 1902, and are identified on the Cherokee census roll of 1896. The minor children, Myrtle I. Stubblefield and Lena V. Stubblefield, are too young to be upon any roll of the Cherokee Nation, and are identified by affidavits of birth made a part of the record herein.

The evidence further shows that Mary C. Stubblefield, nee Martin, and her husband, David R. Stubblefield, removed to the Cherokee Nation in 1894, and that they have maintained a residence therein since that date. The residence of their minor children, applicants herein, must necessarily be the same as that of their parents.

It is, therefore, the opinion of this Commission that David R. Stubblefield should be enrolled as a citizen by intermarriage, and that Mary C. Stubblefield, Myrtle I. Stubblefield and Lena V. Stubblefield should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this MAY 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	506
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	263	William H. Bunow	867

Mary Pettit	977	Millie Morton	1554
Bertie Mitchell	985	Andrew Walters	1573
John J. Harrison	993	John H. Holder	1610
Jasper N. Bateman	1029	Mary M Burr	1612
Susan Ballard	1065	Thomas E. Bonham	1644
Lucy Eva Simmons	1073	Florence Headrick	1663
Helen Thornton	1089	Daisy B. Brewer	1709
Sarah E. Hair	1090	Annie Cordrey	1717
Norman S. Drake	1092	Adam Eckert	1722
Susan Hogg	1094	Isaac Timmons	1726
David L. Scott	1099	Gent Gibson	1727
James C. Taylor	1111	Amos Anderson	1731
Rinne Shepard	1128	William J. Mounts	1734
Robert G. Elgin	1136	James D. Alexander	1745
William Hall	1137	Willis E. Miles	1769
Mary Ella Lattimore	1141	Lora Adair	1781
Maggie J. Keys	1149	John Yarborough	1796
Joseph M. Correll	1177	Lillie M. Dassler	1802
Jane Ratley	1225	Bryant C. Redington	1804
George H. Norton	1234	Malisa A. Maxwell	1808
Wilmia D. Thompson	1247	Richard Dukes	1811
Charles M. Trammel	1264	Fannie Pettit	1816
Flora Carlile	1265	Genevia Pool	1817
William H. Norrid	1275	Mollie Crossland	1822
Olivia Benge	1276	Lizzie Benge	1828
Dollie Wilson	1278	John H. Welty	1847
Minnie Bell	1279	Edward P. White	1884
Sarah Fleetwood	1290	Lauren P. Green	1887
Rosa E. Fargo	1299	Charles Rosser	1898
William M. Oliver	1333	Fay Adair	1913
Matthew J. Couch	1340	Henrietta Irving	1920
Lena Hicks	1347	Bird Trippard	1925
Mary M. Miller	1350	John C. Carlile	1937
Mary E. Taylor	1368	John W. Gilstrap	1954
Polly Ann Benge	1369	Sarah Young	2018
Margaret Nolan	1385	Nancy A. Coleman	2040
Minnie McKinney	1399	James M. Whisenhunt	2118
Nettie Sandusky	1418	Hiram Stephens	2157
Lawrence G. Faulkner	1433	Ann L. Guinn	2159
Sarah A. Holt	1449	Rebecca J. Flying	2172
Jeanette Polsont	1482	Thomas J. Measles	2192
Ellen Sandusky	1508	Julia Coody	2215
Charles W. Nettles	1509	Sarah Crutchfield	2224
Lena Nottingham	1511	Henry E. Lee	2251
Tim Crandon	1513	Sarah Gritts	2256
Ollie Polsonb	1517	John A. Madden	2261
Ellen A. Satterfield	1529	Henry C. Pennel	2271
Laura J. Savannah	1530	Matilda S. Cleland	2302
Etta Hicks	1540	Dona A. Frazier	2313
Mary A. B. McKinney	1549	Laura B. Cordrey	2320

Lafayett D. Kindred	2328	William A. J. Trotter	3257
Pearl V. Sisson	2339	Albert P. Goforth	3268
Nancy J. Sevier	2380	Anna B. Martin	3307
Mollie Hair	2385	William Brown	3328
Dora Sayers	2474	Jennie B. Bluejacket	3345
William T. Jones	2501	William Little	3377
Sarah L. Martin	2502	Julia M. A. Russell	3386
William J. Shoemaker	2506	Andrew J. Smith	3393
Maud Baldridge	2511	William N. Blakemore	3396
James L. Townsend	2513	Lizzie Denton	3427
George L. Morgan	2568	Belle Hudson	3435
Andrew A. Brown	2575	Thomas S. Heady	3437
Louis K. Fair	2623	William M. Roseborough	3444
James L. Mitchell	2644	Madison G. Hawkins	3467
Martha E. McNair	2659	Japhat F. Ellis	3481
Millard F. Eggleson	2668	Emma McAffrey	3503
Elisha M. Gray	2686	William T. Huitt	3570
Jessie M. Ballard	2694	Myra F. Chouteau	3580
Annie Mayes	2798	Phillip Donohoo	3581
Belle Sixkiller	2809	Fred L. Kelley	3593
James P. Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V. Fields	3615
William A. Martin	2865	Lou Payne	3616
Joseph Q. Buchanan	2888	Frederick W. Strout	3692
Marcellus L. Baker	2905	Andrew L. McCamish	3713
Etta M. Hill	2915	Sarah Dirtthrower	3731
John R. Smith	2922	William P. Coble	3758
Ira W. Wallen	2926	Robert L. Madison	3761
John B. Laurence	2959	Mariah McDowell	3795
Lula O. Hitchcock	2961	Elizabeth R. Thornton	3811
Bell L. Muskrat	2975	Donithan A. Wilson	3831
Eliza O'Field	2977	Charles F. Covey	3848
Margaret Suagee	2993	Tamsey M. Williams	3886
Winfield S. Nance	3007	Mary J. Wolfe	3889
Benjamin F. Kelley	3010	Lathan Lumbard	3891
Mollie Daugherty	3039	Micajah P. Haynes	3897
Charles H. Leatherman	3043	Annie L. Wingfield	3903
Alice A. Edwards	3100	Mary Fields	3917
Dorinda Adair	3106	William W. Dudley	3924
William R. Gray	3118	Minnie M. McLaughlin	3930
Dora B. Caulk	3143	Henry B. Lindsey	3978
Jesse M. Gallman	3161	Wilbert H. Parkison	3999
Martha E. Garrett	3162	Seth R. Hall	4011
Artie E. Large	3164	Wiley Hanna	4016
Andrew A. Kelley	3191	Martha M. Woods	4023
Anna B Ryne	3193	Lizzie Gray	4117
Elisa Henderson	3198	Nancy C. Carey	4131
David E. Jenkins	3212	Annie E. Kenney	4135
Lizzie Falling	3233	William H. Ward	4139
Robert L. Payne	3252	Nannie Brewer	4149

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Piqrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peck	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5253

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William R. Sartain	5835
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5896
James H. Brickey	5906
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5928
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5982
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
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Amelia Reese	6033
Alexander West	6036
John Doerle	6037
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Amanda J. Thompson	6082
Wilson Hubbard	6090
Jane Benge	6111
John D. Rials	6113
John C. DeLozier	6117
Jennie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6125
Leander Newton	6136
William A. Quails	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Reese	6172
Benn Simmons	6186
H.H. Brewer	6189
Sarah E. Shuey	6194
John Reese	6211
Rose Dorsey	6214
John Green	6216
William W. Cottephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mark C. Watkins	6246
Robert W. Murray	6253
John G. Perry	6260
Lucinda Pendley	6270
Sarah Mayes	6286
Henry W. Pennell	6289
Isaac A. Wilson	6298
John T. Hall	6310
Edward L. King	6315
Isaac Stall	6325
Frances Carlile	6338
Byrd Webster	6347
Frances Weems	6353
Leonard Lee	6357
James R. Miller	6362
James Bracken	6370
Vesta Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
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Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6690
Lillie B. Blackstone	6714
Mary Lillard	6715

James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
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Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Omar J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Nina West	7159
James W. Connally	7161
Frances M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Pharis	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Farmouth	7213
Eliza Jordan	7217
William T. Rose	7218
Thomas W. Price	7225
James O. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Susan L. Jackson	7273
Henry W. Coughran	7282
Sarah Rose	7291
Mary E. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
John L. Buckner	7331
James L. Good	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kinney Superaker	7378
Sarah J. Johnson	7384
William I. Brown	7400
Wynnie T. Brady	7412
Lena O. Halderman	7413
Mary F. Hammaghard	7430
Bertha A. Allen	7435
Robert J. Tyner	7436
Frances B. Martin	7434
Myrtle Wells	7435
Mary Blevins	7479
Sarah Kercher	7498
Charles D. England	7512
May Cochran	7544
Rebecca Ogbirbe	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harnett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Dudley M. Leamhov	9484
Natonie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Knoshaud	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9643
George Givens	9648
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Leon E. Herrin	9854
Gailen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
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Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875
William G. Brown	9879
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Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers,	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9928
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9940
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9949
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenbarger	10005
Mary E. Palmour	10006
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setzer	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Mamie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
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Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
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Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
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Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
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Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

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Sarah A. Fields		10214
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William H. Watkins		10221
Frank M. Barker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drusilla Looney		10232
Alonzo Moore	D	9
Lenora Prather	D	16
Andrew M. Coster	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	55
Sarah Barnes	D	103
George T. Kiddy	D	105
Henry C. Agent	D	130
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doubleheard	D	169
Annie Lovett	D	180
Nora Reed	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Orrice W. Reed	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connolley	D	264
John A. Sullivan	D	284
May Fields	D	287
Katie Hummingbird	D	300
William F. Sager	D	320
Lovick P. Cochran	D	326
Henry Crabb	D	335
Lucy F. Looney	D	340
Callie Morton	D	341
James S. Alley	D	355
Shadrach C. Walker	D	365
Ada Hall	D	370
Jane M. Hicks	D	396
Fannie L. Dupree	D	406
Willis Bunker, Jr.	D	464
Andrew W. Ellis	D	413
Nina B. Owen	D	420
John M. Robinson	D	455
Henry S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Granier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracie Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle L. Quinton	D	728
Francis M. Beathe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Lewis Bruere	D	779
Georgia A. Waybourn	D	786
Elias Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleora F. Rogers	D	845
Annie Garrett	D	856
George S. Yarbrough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Gunn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1005
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Anne Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1185
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Morton	**D**	**1264**
James H. Roque	**D**	**1266**
Frank Carver	**D**	**1267**
Etta B. Payne	**D**	**1270**
Mary Garrett	**D**	**1271**
Joe W. Goodman	**D**	**1272**
Mathew J. Flanigan	**D**	**1274**
Lizzie C. Holland	**D**	**1285**
Etta Downing	**D**	**1291**
William Caywood	**D**	**1296**
Clarence W. Turner	**D**	**1307**
Alfred Chaney	**D**	**1313**
Euphemia Sweetwater	**D**	**1314**
Etta Russell	**D**	**1319**
Ella Vann	D	1320
Lizzie Williams	D	1330
Minnie Browning	D	1332
Katie Rider	D	1334
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Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Omowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simco	D	3060
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	[illegible]
Horace Gray	D	3082	Samuel Bixbey	R	[illegible]
Lula Pack	D	3083	Malissa Fields	R	[illegible]
Lelia C. Harris	D	3084	Fred Zimmerman	R	[illegible]
Thomas Jones	D	3086	Ella Anopach	R	[illegible]
Benjamin Laws	D	3088	Michael R. Miner	R	[illegible]
Martha Spade	D	3092	Belle A. Powell	R	[illegible]
Julian Wyrick	D	3093	Austin L. Hill	R	[illegible]
Samuel Harlan	D	3157	Mary L. Dudley	R	[illegible]
Lizzie Pharies	D	3171	Stephen Hazlett	R	[illegible]
Jack Michael	D	3172	Mary A. Payne	R	[illegible]
Sarah E. Davis	D	3176	Rebecca Bangs	R	[illegible]
Grace Guthrie	D	3181	Sarah Wilson	R	[illegible]
Mary E. Thornton	D	3183	Dora Crane	R	[illegible]
Mamie Thompson	R	4	Andrew Sitzell	R	[illegible]
Jimmie G. Thompson	R	5	John Sitzell	R	[illegible]
William T. Kelly	R	10	Lillie May Wilson	R	[illegible]
Alice Tidwell	R	19	Ollie A. Barger	R	[illegible]
Rosenna McLaughlin	R	41	Ida Hawkins	R	[illegible]
Martha A. Perdue	R	45	Lizzie Davis	R	[illegible]
Gabriel L. Payne	R	61	Clara M. Emmons	R	[illegible]

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 3, 1902, in the case of Daniel Red Bird, et al., vs. the United States, Nos. [illegible], and said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1906 (34 Stat. 539), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
KIDDER L. BREVOORT.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREEDLOVE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6th, 1902.

Mr. David R. Stubblefield,

Pryor Creek, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and minor child

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman.

Copy to Everett Langley,
Pryor Creek, I.T.

Cherokee D-864

Register.

4 D254

FEB 4 1902

Cherokee D-224.

COPY

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of David R. Stubblefield for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary S. Stubblefield, and his two minor children, Myrtle L. and Lena V. Stubblefield, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,

Acting Chairman.

Enc. S-27.

COPY

Cherokee D-204

Muskogee, Indian Territory, February 5, 1903.

David R. Stubblefield,

Rhea Mills, Texas.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Mary C., and your two minor children, Myrtle I. and Lona V. Stubblefield, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. M-180

Register.

COPY.

Cherokee D-264

Muskogee, Indian Territory , February 3, 1903.

J. Howard Langley,
Attorney for David H. Stubblefield et al.,
Fayetteville, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of David H. Stubblefield for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary C., and his two minor children, Myrtle I. and Lena V. Stubblefield, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. M-2126

Register.

Cherokee
10090

Muskogee, Indian Territory, January 10, 1907.

David Stubblefield,

Rhea's Mills, Tennessee.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Dcsn. ___B___

Commissioner.

Cherokee 10080

Muskogee, Indian Territory, March 12, 1907.

David H. Stubblefield,
Rhomis Mills, Texas.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

D Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-190
MTK

Cher 10081

Thomas J.C. Thompson

Trans. from D259

Cher 10081

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Pryor Creek, I.T. September 11, 1900.

In the matter of the application of Thomas J.C.Thompson for himself and his children for enrollment as citizens of the Cherokee Nation. The said Thomas J.C.Thompson being duly sworn by Commissioner C.R.Breckinridge, testified as follows:

Q What is your age? A It will be sixty-one in October.
Q What is your post office? A Pryor Creek.
Q In what District do you live? A Coowescoowee.
Q Who is it you want to put on the roll
A Myself and children.
Q How many children? A Four.
Q Do you apply for yourself as a Cherokee by blood?
A Yes, sir, by adoption.
Q Have you your marriage license? A Yes.

The applicant presents a duly authenticated marriage license and certificate. The marriage license issued by the clerk of Saline County and the certificate showing that he and his wife were married by J.W.Howard, a minister of the gospel, June 28, 1880, and the same is filed herewith.

Q Are you on the roll of 1880? A I wasn't until I applied. I couldn't find it on there and I went and had it put on there, and I think probably I am on it.
Q What district were you living in in 1880
A Coowescoowee.
Q Did you live in Coowescoowee all the time? A No sir.
Q What district did you live in in 1896? A Going Snake.
Q Is your wife living? A Yes, sir.
Q When did she die? A She died the 11th day of Last August one year ago, 13 minutes to one.
Q Did you and she live together from the time you were married until the time of her death? A Yes, sir.
Q And did both of you live together all the time in the Cherokee Nation? A Except a little while. I had my ~~[illegible]~~ effects still there, but we went to Illinois and staid there a little over a year.
Q You just went to the springs for a little while? A Yes, sir.
Q Give me the name of your father. A William A.Thompson.
Q A White man? A Yes, sir.
Q Is he dead or alive? A He is dead.
Q The name of your mother? A Elizabeth.
Q White woman? A Yes, sir.
Q Living or dead? A Dead.
Q Give me the names of your children.
A. John L. Thompson, twenty years old.
Q The next child. The next child is my daughter. She is married.
Q Well, the next unmarried.
A Oliver M.
Q How old is he? A He is 15 years.
Q The next. A Mahaffie A.
Q How old is he? A Ten years old.
Q The next child? A Clarence R.
Q How old is that child? A Seven.
Q Is that all?
A Yes, sir.

Q These children are all living with you now are they? A Yes sir.

Q Where wereyou marr ed? A I was married in Arkansas in [illegible], and in order to be a citizen I w ent and got my license and was married in the Cherokee Nation.

(Applicant identified on 1896 rohl, page [illegible], No. 186, Going Snake District.)

(1896 Roll, page 796, No. 2091, [illegible] Thompson, Going Snake District, as hi wife.)

(1896 Roll, page 796, No. 2092, John L Thompson, Going Snake District)

1896 Roll, page 796, No. 2094, OLiver N Thompson Going Snake District)

1896 Roll, page 796, No. 2095 Nathaniel Thompson. Going Snake District.)

(1896 Roll. Page 796. No. 2096, Clarence E. Thompson, Going Snake District.)

(1894 Roll, page 723. No. 2289, Anna C. Thompson.)

(1894 Roll. Page 723, No. 2290 Jno. L. Thompson, Going Snake District.)

(1894 Roll/ page 723. No. 2292 Oliver N. Thompson, Going Snake District.)

(1894 Roll. Page 723, No 2293. Nathanial A Thompson/ Going Snake D strict..)

(1894 Roll. Page 723. No2294. Clarence E Thompson, Going Snake District.)

Q What is the name of your wife's mother? ANancy Dial.

Q Was she living in 1880?

A Yes, sir.

Q You say you were married over in Arkansas? A Yes sir.

Q What was your wife doing over there? A I took her over there and married her.

Q Did you run off and marry her? A No, sir I just went and got her and took her to the state and marrie d her

Q How long did you stay in Arkansas? About a mo nth.

Q Then you came bak to the Nation? A Yes, sir.

Q When did you come back? A I came back in 1879.

Q Did youstay here right along after that? A Yes, sir.

Q How comes it you didn't get on the roll of 1880? A Well I enrolled here ak after I was married the second time, and I thought at that time that the fellow had too much liquor is the reason he left me off.

Q Whe n you first tried to enroll

A No, sir I didn.t try to enroll until after I was married the second time. Q

Q Whe n were you marriedthe second time? A I believe it was the 28th day of July, 1890.

Q That was the time you were married under the Cherokee law?

A Yes sir.

Q Did you ever apply to the Dawes Commission to be admitted?

A Yes, sir.

Q When did you do that? A It has been three or four years ago. I g t the Clerk of the District to make a copy of their license and he said he sent them to them and I paid him $2 .25 for it.

Q Did you ever hear from he commission? A No, sir I never heard nothing more from them.

Q Did you apply to the Dawes commission in the name of J C. Thompson or in your wife 's name? I sent it in my own name.

Q Did you ever get anything from them A No sir.
Q They neversent you any notice at all? A Nos, sir.
Q Have you married again since your wife died? A No, sir.

The applicant applies for the enrollment of himself and four children. The marriage license and certificate filed herewith show that he was married in acordance with the Cherokee law on June 28, 1880. He had previously been married under the United States law to his wife in Arkansasywhere he states he and his wife spent about one month. He ~~xxxxx~~ states that he applied for enrollment in 1880, but that through the fault of the officials his name was omitted. He is identified on the roll of 1896. His wife is identified on that roll and also on the roll of 1894, and his four children whose names are given in the testimony are identified on the rolls of ~~1880~~ 1894 and 1896. The applicant states that he applied for admission to the Dawes Commission for himself and family, but claims that he ~~xxxx~~ never had any reply ~~xxxxxxx~~. For the grther consideration of his case and that of his children, hisown application and his application for his children will be placed on a doubtful card, and the final decision of the Commission will be communicatedto him at his post office address, and whether favorable or unfavorable will be reported to the Secretary of the Interior for his approval. The applicant 's wife is stated to have died a little more than a year ago. He claims that he has never married since his wife died.

The undersigned being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony andproceedings in this case, and that the foregoing is a correct and complete copy or transcript of his stenographic notes thereof.

William S Mellon

Subscribed and sworn to before me this 10th day of September, 1900.

Commissioner.

220 a-

DEPARTMENT OF STATE
COMMUNICATION TO THE FOREIGN SERVICE

FILED
SEP 13 1960

8261

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 11 1900

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 11 1900 1900.

(61) Name Thomas J. C. Thompson, Dupr Creek D. G.

District Grinyouake Year 1896 Page 828 No. 188

Citizen by blood Yes Mother's citizenship Mrs A. Thompson - white - dead

Intermarried citizen Yes Parents " Elizabeth " — " — "

Married under what law Date of marriage 1880

License Yes Certificate Yes

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Filed SEP 11 1900 Certificate Filed SEP 11 1900

Names of Children:

2	John L. Thompson	Dist. Grinyouake	Year 1896	Page 796	No. 2092	Age 20
3	Oliver T.	" Dist. "	Year "	Page 796	No. 2094	Age 15
4	Nathaniel A	" Dist. "	Year "	Page 796	No. 2095	Age 10
5	Clarence L.	" Dist. "	Year "	Page 796	No. 2096	Age 7
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age

*3 On 1896 Roll as Oliver Thompson

*4 " " " " Nathaniel "

Marriage license and certificate attached.

D-259

Recorded

July 3rd 1880

J. M. Roberts

Salina Dist

Ct

Office Dist Clerk Saline Dist-
Ch June 2nd 1880-

Marriage License is hereby granted to Thos. J.C. Thompson a white man and a Citizen of the United States to marry Mrs. A.C. Blair a Cherokee Lady and a Citizen of the Cherokee Nation. The said Thos. J.C. Thompson having Complied with the law of the Cherokee Nation regulating the Intermarriage of white men & Foreigners and any Judge of the several Courts of this Nation or Clerk of the Districts or any Ordained Minister of the Gospel is hereby Authorized to perform the marriage Ceremony and return with a certificate of same as the law directs.

From under
My Hand and Seal of Office
Day and date above written.

J. M. Ross Clk
Saline Dist
Ch

Coosaw & Cosawee Dist
Cherokee Nation
Ind. Ter. 28 28

This is to certify that the within
named parties were this day
duly named Married by
me Rev J. H. Coward
ordained & practicing
minister of the M.E. Church
South

Dated Sept 23rd 1880

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Pryor Creek, I. T. September 13,1900.

In the matter of the application ofThomas J. C. Thompson for the enrollment of himself and family as Cherok-e citizens. Supplemental testimony offered on behalf of the applicant.

COMMISSIONER BRECKINRIDGE: Mr. Thompson you offer here now to introduce some additional testimony in regard to the application of yourself and family?

THE APPLICANT: Yes, sir.

THE COMMISSIONER: Who is it you want to introduce now?

THE APPLICANT: Mr. Mayes.

W§ H§ MAYES, being called and sworn by the Commissioner, Hon. C.R. Breckinridge, testified as follows:

Q Give your full name =lease.

A W. H. Mayes.

Q What is your age? Sixty years old.

Q What is your post office? A Pryor Creek.

Q How long have you lived in the C,rokee Nation?

A I was born and raised here.

Q It appears that Mr. Thompson and his wife were not identified on the roll of 1880. Do you know whether theywere living in the Cherokee Nation at that time? A They were living on my place at that time.

Q Were he and his wife looked upon as Cherokee citizens?

A His wife was.

Q She by blood? A Yes, sir.

Q And he by adoption? A Yes, sir.

Q He was married to her before 1880? A Yes, sir.

Q Is she dead? A Yes, sir.

Q How long has she been dead? A About a years and a half.

Q Did he and that wife live together as husband and wife from before 1880 down to the present time, or to the time of her death?

A They were living on my place as man and wife for I don't know how long before, and th at was in 1880.

Q During all of 1880? A Yes, sir.

Q Have you known him since? A Yes, sir.

Q Do you know when she died? A I don't know exactly.

Q Were they ever separated from the time they lived on your place unti l her death? A No, sir not that I know of.

Q Did she die at his house living with him? A Yes, sir: that was my understanding.

Q That was generally understood among the neighbors, was it?

A Yes, sir.

Q Who was she before she married this husband? A She was a Dial.

Q Who was her fathe r? A Martin Dial.

Q Was he a Cherokee by blood? A He was a white man, I guess.

Her mother was a Ward.
Q Do you know whether her mother appears on the roll of 1880 or not? A I don't know.
Q Was her mother living at the time the roll of 1880 was compiled? A I think so.
Q What was her mother's full name? A I don't know.
Q What was the name of your wife's mother, Mr. Thompson?
THE APPLICANT: In 1880 it was Samantha Dial.
Q What was the maiden name of your wife's mother?
THE APPLICANT: A I don't know that I remember now.

NATHANIAL H. DIAL, being called and sworn by Commissioner C. H. Breckinridge, testified as follows:
Q What is your full name? A Nathanial H. Dial.
Q How old are you Mr Dial? A Fifty years old.
Q What is your post office? A Pryor Creek.
Q How long have you lived in the Cherokee Nation? A Thirty years
Q Do you know this applicant here, Mr. Thompson? A I do.
Q You knew his wife? A Yes, sir.
Q What was her maiden name? A Katherine Dial.
Q Was she any kin to you? A Yes, sir.
Q What relation? A She was my sister.
Q Did she marry him before 1880? A Yes, sir.
Q And lived with him until the time of her death? A Yes, sir.
Q Do you know any reason why that woman and this man were left off the roll of 1880 ? A No, sir.
Q Were you enrolled at that time? A Yes, sir.
Q Did this man and his wife live in the Cherokee Nation from 1880 down to the time of her death? A Yes, sir.
Q Constantly, right along, and make it their home? A Well, he was out in Arkansas a while. I don't know how long he did live there.
Q Was that when he went up to Siloam Springs? A Yes, sir.
Q He just went up there about the schooling of his children? A Yes, sir.
Q Just across the line? A Yes, sir; and with that exception that has been the home of himself and his wife all the time.
Witness excused.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he recorded the testimony given on behalf of the applicant in the foregoing matter in a supplemental hearing, and that the foregoing is a correct and complete transcript of the stenographic notes thereof.

Subscribed and sworn to before me this 10th day of September A. D. 1900.

Commissioner.

FILED
SEP 16 1900

No 259

Office District Clerk Saline District. C. N.
June 27th, 1880.

Marriage license is hereby granted to Thos. J. C. Thompson, a white man and a citizen of the United States, to marry Mrs. A. C. Blair, a cherokee LAdy and a citizen of the Cherokee Nation. The said Thos. J. C. Thompson having complied with the laws of the Cherokee Nation regulating the intermarriage of white men and foreigners, and any Judge of the several courts of this Nation, or Clerk of the Districts or any Ordained Minister of the Gospel, is hereby authorized to perform the marriage ceremony and return with a certificate of same as the law directs.

Given under my hand and seal of office day and date above written.

J. M. Ross, Clk.
Saline Dist. C. N.

S E A L.

Cocweescoowee District,
Cherokee Nation.
June 28, 1880.

This is to certify that the within named parties were this day above named married by me.

J. W. Conard.
Ordained and Traveling Minister
of the M. E. Church South.

Recorded July 3rd, 1881.

J. M. Ross Clerk
Saline Dist. C.N.

Department of the Interior.

Commission to the Five Civilized Tribes.

Muskogee, I. T. February 8, 1902

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Thomas J. C. Thompson, as a citizen of the Cherokee Nation.

Commissioner.

Recorded July 3rd, 1880 at 2 P. M. Rose Clerk

Entire Dep. C. H.

of the U. S. Court for

Central District of Texas.

J. W. Crosby.

Before me this 3rd day of July A. D. 1880 personally appeared

J. W. Crosby

to me well known to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 3rd day of July A. D. 1880.

J. W. Crosby

Notary Public

Entire Dep. C. H.

J. M. Rose Clk.

By

Deputy.

Filed for record at 2 o'clock P. M. July 3rd, 1880.

J. M. Rose Clk.

By Entire Dep. C. H.

Deputy.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 26 1902

D 259

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 26 1902

Acting Chairman

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee I.T. 2/21/02

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Thomas Jo Thompson for enrollment as Freedmenof the Cherokee Nation.

E H Sweeney

No. 6D 259.

Cherokee D 202.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 15, 1902.

In the matter of the application of Thomas J. C. Thompson for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his four minor children, John L., Oliver M., Nathaniel A. and Clarence E. Thompson, as citizens by blood, of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

THOMAS J. C. THOMPSON, being sworn, testified as follows:

By the Commission,

Q What's your name, Mr. Thompson? A Thomas J. C. Thompson.
Q What's your age at this time? A Sixty-three.
Q Postoffice, Mr. Thompson? A Pryor Creek.
Q Are you the same Thomas J. C. Thompson that made application to the Commission for enrollment as an intermarried citizen in September 1900? A Yes, sir.
Q Is your wife living at this time? A No, sir.
Q Was she a Cherokee by blood? A Yes, sir.
Q What was her name? A Dyer.
Q Give me her given name. A Annie C. A. C.
Q When were you married to your wife, Annie? A 1880.
Q Were you married under Cherokee license? A Yes, sir.
Q Were you ever married before you married that wife? A No, sir.
Q Was she ever married before she married you? A Yes, sir.
Q How many times had she been married? A Once.
Q What was her first husband's name? A Blair.
Q Was he living or dead when she married you? A He was dead.
Q Did you and your wife, Annie, live together from the time of your marriage up until her death? A Yes, sir.
Q When did she die? A In August, three years ago last August.
A In '99? A Yes, sir, in '99.
Q Have you ever married since her death? A No, sir.
Q She's the only woman you were ever married to? A Yes, sir.
Q Were you still a widower and single on the first day of September, 1902? A Yes, sir.
Q Have you lived in the Cherokee Nation all the time since your marriage in '80 up to the present time? A With the exception that I was out a little while schooling my children.
Q When were you out? A In '94 and '5.
Q Where were you? A Siloam Springs, Arkansas.
Q You say you were over there about a year and a half in '94 and '5?
A Yes, sir, somewhere along there.
Q Have you been in the Cherokee Nation ever since '95 up to the present time? A Yes, sir.
Q And with that exception you have been here ever since your marriage? A Yes, sir.
Q Are these children, John L., Oliver M., Nathaniel A. and Clarence E., your children by your wife, Annie? A Yes, sir.
Q Are they all living at this time? A Yes, sir.
Q Have they lived all their lives in the Cherokee Nation? A With the exception of the year we were out schooling.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 5th day of November, 1902.

B. O. Jones
Notary Public.

Before me, [illegible] personally appeared [illegible], who being duly sworn, testified that [illegible] typewriter to the Commission to the Civil Service Rules, the foregoing testimony and proceedings in the matter of the Promotion Examination, and that the above is a true and complete stenographic notes thereof.

[illegible]

Subscribed and sworn to before me this 6th day of November, 1920.

[illegible]

Cherokee D 259

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Thomas J. C. Thompson for enrollment as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his four minor children, John L., Oliver N., Nathaniel A. and Clarence E. Thompson, as citizens by blood of the Cherokee Nation.

D E C I S I O N

The record in this case shows that on September 11, 1900, Thomas J. C. Thompson appeared before the Commission at Pryor Creek, Indian Territory, and made application for his enrollment as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his four minor children, John L., Oliver N., Nathaniel A. and Clarence E. Thompson, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Pryor Creek, Indian Territory, on September 13, 1900, and at Muskogee, Indian Territory, on October 15, 1902.

The evidence shows that the said Thomas J. C. Thompson, a white man, was lawfully married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, on June 28, 1880, to Mrs. A. C. Blair, whom the evidence shows to have been a citizen by blood of the Cherokee Nation. His said wife is now deceased. The said Thomas J. C. Thompson claims that he made application to this Commission for admission to citizenship in the Cherokee Nation, and the records of the Commission having been examined, show that on August 24, 1897, he filed such an application, and that such application was not passed upon.

The evidence further shows that the said Thomas J. C. Thompson resided in the Cherokee Nation with his wife from 1880 up to the time of her death in 1899, and has not remarried since her death. His said children have resided in said nation all their lives.

It is, therefore, the opinion of this Commission that Thomas J. C. Thompson, should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that John L. Thompson, Oliver N. Thompson, Nathaniel A. Thompson and Clarence E. Thompson, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495) and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulsie Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	246
John W. Thurman	268
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A. Patton	679
Benjamin G. Holland	763
William Gordon	798
Maggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F. Carden	861
William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pideock	1517
Silas A Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2326
Pearl V. Sisson	2339
Nancy J. Sevier	2340
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2560
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2670
Millard F. Eggleston	2698
Elisha M. Gray	2846
Jessie M. Ballard	2894
Annie Mayes	2900
Belle Sixkiller	2909
James P. Riley	2925
William Broaddus	2954
William A. Martin	2965
Joseph Q. Buchanan	2986
Marcellus L. Baker	2995
Etta M. Hill	2995
John R. Smith	2999
Ira W. Wallen	2999
John B. Laurence	2999
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Seagee	2983
Winfield S. Nance	2987
Benjamin F. Kelley	2989
Mollie Dougherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3089
Durinda Adair	3096
William R. Gray	3116
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryan	3193
Elias Henderson	3196
David E. Jenkins	3212
Lizzie Falling	3223
Robert L. Payne	3232
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie P. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Beaty	3437
William M. Rowborough	3444
Madison G. Hawkins	3467
Josphat F. Ellis	3491
Emma McAffrey	3543
William T. Hiatt	3570
Myra F. Chapman	3580
Phillip Donahoo	3581
Ford L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lon Payne	3616
Frederick W. Strout	3682
Andrew L. McCamish	3713
Sarah Dirrhower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Jonathan A. Wilson	3841
Charles F. Carey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Latham Lumbard	3891
Mariah P. Haynes	3907
Annie L. Wingfield	3908
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3960
Henry B. Lindsey	3978
Wilbert H. Parkinson	3990
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4068
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4180
Minnie Brewer	4190

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ofa Armstrong	4582
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619

Rosa J. Ketchum	[illegible]
Lizzie Love	[illegible]
Robert K. Ware	[illegible]
Frederick Metzner	[illegible]
John C. Benedict	[illegible]
Popow L. Jones	[illegible]
Ada Berthold	[illegible]
Alice Robbins	[illegible]
Jane Dougherty	[illegible]
Samuel Frances	[illegible]
Clemon C. Peel	[illegible]
Mont C. Frazier	[illegible]
Frank J. Mayberry	[illegible]
Charles W. Moore	[illegible]
Jefferson D. Edmondson	[illegible]
Alonzo H. Boone	[illegible]
Thomas C. Mock	[illegible]
Sallie Allison	[illegible]
Elizabeth E. Burgess	[illegible]
Lafayette Breeden	[illegible]
James M. Boling	[illegible]
Frances A. Neilson	[illegible]
John [illegible] Smith	[illegible]
Rufus S. Stewart	[illegible]
John [illegible] Haddock	[illegible]
Maggie O. Watkins	[illegible]
George W. Talbert	[illegible]
Mary Miller	[illegible]
Henry C. White	[illegible]
Mattie L. Hill	[illegible]
Alice A. Bible	[illegible]
Katie Coker	[illegible]
John Creek	[illegible]
Ruby R. Bean	[illegible]
William J. Dodson	[illegible]
Blackburn Reed	[illegible]
Viola Lowther	[illegible]
William B. Hitchcock	[illegible]
Henry D. McDonald	[illegible]
Della McDaniel	[illegible]
Dorothy Rattlingourd	[illegible]
Ida McCoy	[illegible]
Henry M. Lyon	[illegible]
Alice J. Wofford	[illegible]
Nancy Morris	[illegible]
Ella Sullivan	[illegible]
Winfield Williams	[illegible]
Bessie M. Smith	[illegible]
Mrs. Humphries	[illegible]
Donnie Burgess	[illegible]

Sam B. Burgess	5236
John E. Etter	5239
Henrietta Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Burt	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie O. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Orrus B. Lacey	5489
Lou Taylor	5493
Laura Taylor	5494
Lorenzo D. Miller	5496
Emmerson M. Arnold	5498
Stella Henry	5499
William E. Owen	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Oliver	5524
Harry Jones	5525
Aggie Parks	5532
James W. Hufford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Biggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Combs	5572
John Kidd	5575
William R. Greer	5576
Rose M. Stubbler	5581
Nancy Baker	5587
Dewey H. Owen	5589
Annie R. C. Owen	5600
Jane McKnight	5602
Clarence J. Strange	5610
Harry Wentworth	5611
Emma H. Roach	5612

William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph B. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5798
Ida Wyly	5802
Richard L. Pite	5815
Edward Lutz	5816
John F. Woodworth	5839

Marcus M. Huddleston	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enos M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Hartley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Marcus Beck	5887
Jack M. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Henry Young	5896
James H. Brackey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Pierce	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Shaver	5966
John W. Twilley	5967
Joseph W. Monroe	5970
Cornelius P. Foster	5971
Amanda C. Thompson	5972
John M. Rush	5976
Harrison L. Hughes	5978
Silas B. Hilline	5983
Lewis M. Payne	5985
Nancy Benner	5986
Sarah F. Selvidge	6002
Percy F. Barkiner	6005
John A. Woodward	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Rush	6030
William R. Towle	6030

George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Bass J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Peerbay	6270
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6326
Emmer Carlile	6336
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Bracbett	6370
Nora Allen	6371
John T. Washington	6376

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6490
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus B. Hart	6603
Pena Phillips	6632
Lois R. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715

James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6986
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7006
Willie Hildebrand	7040
A[illegible]M Roberson	7041
[illegible] Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7040
Etta Patrick	7041
Nannie Martin	7080
Rosa B. Harris	7084
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7113
Mary Belle Cauby	7113
Benjamin Bauer	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Phariss	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Goad	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Klasay Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9286
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Bollo Bryant	9542

Joseph P. Smith	9549
George E. Watkins	9552
Florence Henry	9558
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9565
Joel D. Smith	9568
William T. Cave	9572
William Bagher	9577
James M. Smith	9582
John E. Xarweather	9583
Beverly L. Lafon	9587
Robert L. Gentry	9589
John C. Barber	9591
John P. Greenwood	9593
Henry Hayes	9595
Ella Cornwell	9598
Ava A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Hate O. Reed	9619
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Handley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mark H. Martin	9640
Mary Ward	9643
George Gleaves	9648
Plenny Pumbuy	9660
Charley Kiger	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Coul	9670
Mary M. Motte	9671
Lena E. Harris	9684
Guiles E. Carrack	9685
Rose B. Barger	9687
Rachel Foreman	9688
Semper C. Wilks	9691
Virgie Seabolt	9694
Annie Cannon	9697
Isabella McCoy	9701
Robert E. Bay	9705
William G. Brown	9879
John B. Daisy	9881
Phebe Thompson	9882
Gunther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Madalin	9896
John H. Horton	9904
Hosee L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Luzinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Young F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zano M. Cox	9964
Jerusha E. Blair	9985
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Chas V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmeter	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Wilbert E. Hutchins	10016
Jesse Talbert	10020
John E. Stoner	10021
Amanda E. Russell	10022
Minnie L. Rogers	10023
Minnie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	1003F
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10125
Emma R. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10134
Caleba Carnes	10135
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10143
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrance	10148
Dora E. Hays	10149
Julia M. Schrimsher	10151
Parmelia E. Lyman	10152
Charles F. Trickey	10154
Louisa J. Palmeur	10159
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10176
Alice Nichols	10181
Lizzie Dry	10182
Emma Mosley	10185
Annie Winters	10187
Sheldon Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Minnie Still	10200
Hannah E. Langley	10201
Alma Keith	10202
Flora A. Terrill	10203
Talmadeen A. Pannaker	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
John Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Reinhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Alonzo Moore	D	9
Lenora Prather	D	16
Andrew M. Custer	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doubleheed	D	169
Annie Lovett	D	180
Yorn Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Orsico W. Hood	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
John A. Sullivan	D	284
Ray Fields	D	297
Hallie Hemmingbird	D	305
William F. Sager	D	306
Lovick P. Gunnison	D	324
Henry Grubb	D	336
Lucy F. Lacey	D	340
Callie Bivens	D	341
James S. Alley	D	355
Shoshonk C. Walker	D	365
Ada Hall	D	376
Jane M. Hicks	D	396
Patrick L. Rogers	D	405
Willis Rankin, Jr.	D	424
Joshua W. Ellis	D	433
Ellen R. Owen	D	460
John M. Robinson	D	466
Henry S. Thompson	D	484
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleora F. Rogers	D	845
Annie Garrett	D	846
George S. Yarborough	D	875

[illegible] A. Henderson	D	878
Hannah Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Rhoades	D	966
Elias Wofford	D	967
Jasper L. Newton	D	971
John W. Gunn	D	974
Hannah Pierce	D	980
Nellie W. Hetherington	D	1003
Thomas J. Welch, Jr.	D	1006
Lonnie Christian	D	1010
George Hendrixson	D	1013
James M. Dunn	D	1022
Rhodam A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Arnold E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin H. Crum	D	1099
Benjamin Strickler	D	1129
Nancy Spainhart	D	1130
Annie Wilson	D	1131
Otis H. Maxwell	D	1135
Rhodam W. Moore	D	1136
Carrie Childs	D	1146
James Hughes	D	1179
Frances E. Reed	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Lawrence Brookshire	D	1208
Martha J. Henson	D	1218
Ernest A. Martin	D	1220
Pearl B. Holloway	D	1266
Nathaniel E. Martin	D	1284
James H. Rogers	D	1288
Frank Carver	D	1297
Ellis B. Rogers	D	1270
Mary Carver	D	1271
Joe W. Cochran	D	1272
Rhodam J. Thompson	D	1274
Lonnie C. Hubbard	D	1286
Ellis Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chavis	D	1313
Stephens Summerour	D	1314
Ezra Brandt	D	1319
Ella Vann	D	1329
Lonnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitehiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1423
S. F. Moore	D	1434
Addie Schumsher	D	1448
Fannie Vann	D	1458
Marcella Blasengame	D	1474
G. W. Williamson	D	1555
C. [illegible] Walker	D	1558
Louisa Reeves	D	1567
Frank Cowles	D	1581
Mary Frances Mashburn	D	1637
Thomas Redman	D	1661
Kate Still	D	1866
Ira Cranche	D	1913
D. A. Moore	D	1967
J. [illegible] Setser	D	1991
Jennie Haskins	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Langley	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Phillip Ross	D	2608
Tom W. Reeves	D	2609
Mary Stuart	D	2612
Rufus Tidmore	D	2613
Jasper Turquett	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Wheelehunt	D	2630
Katy Martin	D	2667
Willie Butler	D	2686
Claud Harper	D	2687
Elsie Conner	D	2688
John Colwell	D	2689

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKennie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Osseveo	D	2818
William H. Patterson	D	2830
Samuel A. Parkhurst	D	2831
Ellen Rogers	D	2832
Elijah Rolland	D	2837
Endora Steele	D	2838
William M. Stucker	D	2839
Sallie Tauuneacie	D	2841
Mary Tassle	D	2842
John F. Wolf	D	2843
Ruth A. Ward	D	2849
Winnie Daugherty	D	2901
Mary Guthrie	D	2902
Lydia Long	D	2903
Edda Roberts	D	2897
Manda Ward	D	2898
Elmira J. Alberty	D	2899
Thomas C. Cordray	D	2904
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2909
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2921
Francis Duval	D	2924
Wade S. Hayes	D	2927
James A. Hankins	D	2928
Joseph Hardee	D	2931
Tennie Horn	D	2932
Eveline Hall	D	2933
John E. Leftwich	D	2935
Mattie Hansen	D	2934
John D. Cakwell	D	2938
Charles W. Phillips	D	2939
Sarah Shanks	D	2940
Nettie Young	D	2940
Jerry P. Ables	D	2948
Almedie Ross	D	2952
John S. J. Fowler	D	2955
Leaner Hood	D	2956
James D. Jackson	D	2957
Emma G. Nelson	D	2958
Alice Simco	D	2959
George O. Wallace	D	2960
Fannie Clay	D	2966
Ellen Drew	D	2969

Lue Fish	D	3081	Della Baldridge	R	135
Horace Gray	D	3082	Samuel Richey	R	137
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miser	R	295
Martha Spade	D	3092	Belle A. Powell	R	332
Julian Wyrick	D	3093	Austin L. Hill	R	439
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharies	D	3171	Stephen Hackett	R	485
Jack Michael	D	3172	Mary A. Payne	R	494
Sarah E. Davis	D	3176	Rebecca Bangs	R	583
Grace Guthrie	D	3181	Sarah Wilson	R	633
Mary E. Thornton	D	3182	Dora Crane	R	635
Mamie Thompson	R	4	Andrew Sidwell	R	642
Jimmie G. Thompson	R	5	John Sidwell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Bunger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	985

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the case of Daniel Red Bird, et al., vs. the United States, Nos. 305, 306, 307 and 308, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1906 (34 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th, 1902

Mr. Thomas J.C.Jackson, Thompson
Pryor Creek, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and four minor children for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee 2-220
Register

Acting Chairman.

Lecu

COPY.

Cherokee 1-259.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Thomas J. O. Thompson for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his four minor children, John L., Oliver H., Nathaniel A. and Clarence E. Thompson, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file your protest as you desire in writing against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. Roll.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D-269

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 5, 1903.

Thomas J. C. Thompson,

Pryoreeek, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your four minor children, John L., Oliver M., Nathaniel A. and Clarence E. Thompson, as citizens by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. M-3186

Register.

COPY Cherokee D-251

Muskogee, Indian Territory, February 3, 1903.

J. Howard Langley,
Attorney for Thomas J. C. Thompson et al.,
Fryercreek, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Thomas J. C. Thompson for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his four minor children, John L., Oliver M., Nathaniel A. and Clarence E. Thompson, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. E-4126

Register.

Muskogee
[illegible]

Muskogee, Indian Territory, January 10, 1907.

James J. C. Tompson,
Myer Grove, Indian Territory.

Dear Sir:

I have to inclose a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision was this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Encs. 2 Commissioner.

C43

Cherokee 10081

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 12, 1907.

[illegible]

[illegible]

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 26, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

[signature]

Commissioner.

B

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March

ried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes either at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make formal complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, plats will be open for inspection showing the location of tentative allotments made by former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for, within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

Cherokee
J et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.2-100
KXH

Department of the Interior,

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.



Thom[illegible] T. C. Thompson,

Pryor Creek, Indian Territory.



Return Rec'd. Feb 27 1907

Cher 10082

Andrew O. Harlan

Trans. from D425

Cher 10082

DEPARTMENT OF THE INTERRIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
VINITA, I.T., SEPTEMBER 25th, 1900.

IN THE MATTER OF THE APPLICATION OF Andrew O. Harlan, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Andrew O. Harlan.
Q What is your age? A Thirty two.
Q What is your Postoffice? A McAlester, I. T.
Q What district do you claim as your home? A This.
Q Cooweescoowee? A Yes sir.
Q Where is McAlester? A Choctaw Nation.
Q For whom do you apply for enrollment? A Myself, two children and my wife.
Q Are you a Cherokee by blood? A Yes sir.
Q Is your wife a Cherokee by blood? A No sir.
Q How long have you lived in the Cherokee nation?
A Born in the Cherokee Nation. All my life.
Q Born here; all your life? A Yes sir.
Q Are you on the roll of 1880? A I do not think I am.
Q Have you been admitted by the Cherokee Commission? A Yes sir.
Q You applied to the Dawes Commission? A Yes sir.
Q You were admitted by the Dawes Commission in 1896? A Yes sir.
Q Where have you lived since then? A McAlester part of the time, and here part of the time.
Q Where have you lived most of the time? A McAlester.
Q Where are you living now? A McAlester.
Q What is your wifes name? A Cora Pearl.
Q How old is she? A She is twenty three years old.
Q When did you marry her? A Eight years ago.
Q Have you a certificate of marriage? A Yes sir.

The applicant presents a liscence, issued by the Clerk of the United States Court, Second Judicial District, Indian Territory, under date of March 13th, 1891, authorizeing marriage between himself and Miss ~~Emma~~ Pearl Richards, and the certificate shows that they were married on the same date by the Reverend George E. Hill. This document is filed herewith.

Q Your wife is not with you in the application you made to the Dawes Commission? A No sir.
Q Now give me the names of your children please?
A Myrtle Belle.
Q How old is that child? A Six years old.
Q Next child please? A Nina Eula.
Q How old is she? A- Three years old.
Q Both living now, are they? A Yes sir.
Q What are you doing in McAlester? A Working in the coal mines.
Q Digging coal? A Track laying; mine work.
Q Making your home there, are you? A No sir; I went down there because work was poor here.
Q Do you vote when they have elections down there? A No sir
Q Why do you not vote? A I did not think I had a right to vote.

The applicant applies for the enrollment of himself, his wife and two children. He is shown to have been admitted by the Dawes Commission in 1896: His marriage liscence and certificate, filed herewith, show that he was married to his wife eight years ago, and they have lived together as husband and wife ever since: His child, then living, Myrtle Belle, was also admitted by the Dawes Commission. The applicant makes his home at McAlester, in the Indian Territory, and has done so, as shown by the testimony, for some years past. For the further consideration of the rights that exist in the statement of this case, these applications will all now be placed upon a "Doubtful Card", including the application for the youngest child, Nina Eula, when the Commission shall be sup-

plied with a proper certificate of the birth of that child. The later child is said to have been born since the admission of the applicant by the Dawes Commission.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me
this 26th day of September, 1900.

COMMISSIONER.

94 25

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 29 1900

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 25 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 25 1900 1900.

1 Andrew C. Harlan McAlister I.T.

Roll Year Page No.

Citizen by Blood Yes. Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

2 Wife's name Cora P. Harlan

Roll Year Page No.

Citizen by Blood No Mother's citizenship

Intermarried citizen Yes

Married under what law Date of marriage 1897

License Filed SEP 25 1900 Certificate Filed SEP 25 1900

Names of Children:

3 Myrtle B. Harlan Dist. Year Page No. Age 6

4 Nona L. " Dist. Year Page No. Age 3

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

4 Affidavit of birth to be supplied.
Dawes no. 5-302, Andrew C Harlan and Myrtle Bell Harlan his child admitted as citizens by blood, no appeal
Appraisement Certificate of each attached.

D415

W. F. PETTIBONE & CO., LAW AND PUBLIC OFFICE STATIONERS, 60-62 ADAMS ST., CHICAGO

No. 4

MARRIAGE LICENSE

United States of America,
INDIAN TERRITORY,
Second Judicial Division.

To any Person authorized by Law to Solemnize Marriage Greeting:

You are Hereby Commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. A O Harbour of McAlester in the Choctaw Nation aged 22 years, and Miss Pearl Richards of McAlester in the Choctaw Nation aged 16 years, according to law, and do you officially sign and return this License to the parties therein named.

Witness my hand and Official Seal, this 13th day of March A. D. 1891

Wm Nelson
Clerk of the U. S. Court

By T N Foster Deputy

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
Second Judicial Division,
ss.

I, Rev. Geo. E. Hill a Minister of the Gospel

A. D. 1891, I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 13 day of March A. D. 1891

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, Second Judicial Division, Book A, Page 102

Rev. Geo. E. Hill
a Minister of the Gospel

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court, in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100).

947

Witness my hand and Official Seal, this 13th day of March A. D. 1891

Wm Nelson
Clerk of the U. S. Court.

By T. N. Foster Deputy

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY.
Second Judicial Division.

I, Rev. Geo. E. Hill a Minister of the Gospel

A. D. 1891 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 13 day of March A. D. 1891

Recorded in the Office of the Clerk of the United States Court, Indian Territory, Second Judicial Division, Book A, Page 140

Rev. Geo. E. Hill
Minister of the Gospel

741

CERTIFICATE OF RECORD

United States of America,
INDIAN TERRITORY.
Second Judicial Division. } SS.

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory do hereby certify that the instrument hereto attached the 23 day of April A. D. 1891, was filed for record in my office this 23 day of April A. D. 1891, at ____ o'clock M. and duly recorded the 23 day of April A. D. 1891, at ____ o'clock M. in Book A, Page 741

Witness my hand and seal of said Court at Ft. Smith in said Territory, this 23 day of April A. D. 1891

Wm Nelson Clerk

By T. N. Foster Deputy

IN RE

Application for Enrollment of

INFANT CHILD

[illegible] of the

[illegible] Nation

Approved: OCT 19 1900

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 19 1900

[signature]

Assistant Secretary.

[illegible] 4795

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible] Nation.

of [illegible] (Here insert name of child), born on the 15 day of June, 1897.

Name of Father: [illegible], a citizen of the [illegible] Nation.

Name of Mother: [illegible], a citizen of the [illegible] Nation.

Post-office, [illegible]

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Cova P. Harlan, on oath state that I am 24 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Andrew C. Harlan, who is a citizen, by blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 15 day of June 1897; that said child has been named Nina E Harlan, and is now living.

Cova P Harlan

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 6th day of October 1900

W H Ansley
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District:

I, J. J. Dunning, a Physician, on oath state that I attended on Mrs. Cova P. Harlan, wife of Andrew C. Harlan, on the 15th day of June, 1897; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Nina E. Harlan.

J J Dunning M D

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 6th day of October 1900.

W H Ansley
NOTARY PUBLIC

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee I.T. ,,

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Lucinda O Hawkins for enrollment as Cherokee Freedmen.

No. 6015

FILED
SEP 20 1902

R. 425.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 26, 1902.

In the matter of the application of Andrew O. Harlan for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 10, 1902, that his case would be taken up for final consideration by the Commission on the 26th day of February, 1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day appears in person and by his attorney, J. R. Sequitchie.

Cherokee Nation represented by W. W. Hastings.

The said Andrew O. Harlan, being first duly sworn, testified as follows:

MR. SEQUITCHIE: What is your name? A Andrew O. Harlan.
Q What is your age? A 36 years old.
Q What is your postoffice? A McAlester, Choctaw Nation.
Q What is your citizenship? A Cherokee.
Q Cherokee by blood? A Yes, sir.
Q Have you lived in the Cherokee Nation? A Yes, sir.
Q How long? A Well, principally all the time out and in.
Q What is your occupation at the present time? A Working in coal mines.
Q How long have you been working at the coal mines? A Past eight years.
Q Where? A McAlester.
Q What nation is that? A Choctaw Nation.
Q Is that in the Indian Territory? A Yes, sir.
Q Did you vote? A No, sir.
Q Are you on the 1880 roll? A No, sir, don't think I am.
Q How did you become a citizen of the Cherokee Nation by blood? A By the Commission.
Q What year, in 1896? A I don't just remember the year, the year of 1896 I think.
Q Have you got any personal effects in the Cherokee Nation? A Yes, sir, I have got a farm place.
MR. HASTINGS: When did you get that farm? A Two years ago.
Q Where is it? A Nine miles southwest of Vinita.
Q Who did you purchase it of? A Pete Harris.
Q What did you give him for that? A I give four hundred dollars for the place.
Q You got a bill of sale of it? A Yes, sir.
Q With you? A No, sir. Another place I give him five years' rent off the place to pay for it, too.
Q Leased it? A Leased it.
Q In violation of the law? A He bought the place from me for five years' rent of the place.
Q You say you leased it in violation of law. You lived in the Cherokee Nation since you were admitted in 1896? A Yes, sir.
COMMISSION: The applicant and his agent and the representative of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

———:———

Arthur T. Cunningham, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Arthur T. Cunningham

Subscribed and sworn to before me this 27th day of February, 1902.

Commissioner.

Cher
Supp'l to D 425

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 20, 1902.

In the matter of the application of ANDREW O. HARLAN, for the enrollment of himself, and his children, MYRTLE B. and NINA E. HARLAN, as citizens by blood, and his wife CORA P. HARLAN, as a citizen by intermarriage, of the Cherokee Nation:

ANDREW O. HARLAN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Andrew O. Harlan.
Q What is your age at this time ? A I am thirty four.
Q What is your post office address ? A Adair.
Q You are a citizen by blood of the Cherokee Nation ? A Yes sir.
Q Are you the same Andrew O. Harlan that applied to the Commission in September, 1900, for enrollment as a citizen by blood of the Cherokee Nation ? A Yes sir.
Q What is your wife's name ? A Cora P. Harlan.
Q What is her age ? A Twenty eight years old.
Q She is an applicant for enrollment as an intermarried citizen of the Cherokee Nation is she ? A Yes sir.
Q When were you married to Cora P. Harlan ? A 12 years ago.
Q Were you ever married before you were married to her ?
A No sir.
Q Was she ever married before she married you ? A No sir.
Q Have you and she lived together as husband and wife ever since your marriage up to the present time ? A Yes sir.
Q Never been separated ? A No sir.
Q Were you and she living together as husband and wife on the first day of September, 1902 ? A Yes sir.
Q You were admitted by the Dawes Commission in 1896 were you not ?
A I think that was the year, yes sir.
Q Your wife wasn't included in that application with you ?
A No sir; I don't recollect whether she was or not.
Q Have you lived in the Indian Territory ever since 1896 up to the present time ? A Yes sir.
Q Never have lived outside the Indian Territory since 1896 ?
A No sir.
Q Has your wife lived with you during that time ? A Yes sir.
Q And have these two children, Myrtle B. and Nina E., lived with you all the time ? A Yes sir.
Q Are they both living now ? A Yes sir.
Q They are both your children by your wife Cora P ?
A Yes sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell.

Subscribed and sworn to before me this November 24, 1902.

B A Jones
Notary Public.

Cher
Supp'l to D 426

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 20, 1902.

In the matter of the application of ANDREW O. HARLAN, for the enrollment of himself, and his children, MYRTLE B. and NINA E. HARLAN, as citizens by blood, and his wife CORA P. HARLAN, as a citizen by intermarriage, of the Cherokee Nation:

ANDREW O. HARLAN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Andrew O. Harlan.
Q What is your age at this time ? A I am thirty four.
Q What is your post office address ? A Adair.
Q You are a citizen by blood of the Cherokee Nation ? A Yes sir.
Q Are you the same Andrew O. Harlan that applied to the Commission in September, 1900, for enrollment as a citizen by blood of the Cherokee Nation ? A Yes sir.
Q What is your wife's name ? A Cora P. Harlan.
Q What is her age ? A Twenty eight years old.
Q She is an applicant for enrollment as an intermarried citizen of the Cherokee Nation is she ? A Yes sir.
Q When were you married to Cora P. Harlan ? A 12 years ago.
Q Were you ever married before you were married to her ?
A No sir.
Q Was she ever married before she married you ? A No sir.
Q Have you and she lived together as husband and wife ever since your marriage up to the present time ? A Yes sir.
Q Never been separated ? A No sir.
Q Were you and she living together as husband and wife on the first day of September, 1902 ? A Yes sir.
Q You were admitted by the Dawes Commission in 1896 were you not ?
A I think that was the year, yes sir.
Q Your wife wasn't included in that application with you ?
A No sir, I don't recollect whether she was or not.
Q Have you lived in the Indian Territory ever since 1896 up to the present time ? A Yes sir.
Q Never have lived outside the Indian Territory since 1896 ?
A No sir.
Q Has your wife lived with you during that time ? A Yes sir.
Q And have those two children, Myrtle B. and Nina E., lived with you all the time ? A Yes sir.
Q Are they both living now ? A Yes sir.
Q They are both your children by your wife Cora P ?
A Yes sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell.

Subscribed and sworn to before me this November 24, 1902.

B. C. Jones
Notary Public.

Cherokee D-425.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of Andrew O. Harlan and his two minor children, Myrtle B., and Nina E. Harlan, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Cora P. Harlan, as a citizen by intermarriage of the Cherokee Nation.

DECISION.

---:o:---

The record in this case shows that on September 25,1900, Andrew O. Harlan appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment of himself and his two minor children, Myrtle B., and Nina E. Harlan, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Cora P. Harlan, as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 26, and October 20, 1902.

It appears from the records in possession of this Commission that Andrew O. Harlan and his minor child, Myrtle B. Harlan, were admitted to citizenship in the Cherokee Nation by the Commission to the Five Civilized Tribes, on November 24, 1896, in accordance with the provisions of the Act of Congress approved June 10,1896,(29 Stats., 321), and that no appeal was taken from said decision.

The evidence shows that Andrew O. Harlan was lawfully married to Pearl Richards on March 13, 1891. The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson, held that a white woman,married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship.

The evidence further shows that the minor child, Nina E. Harlan, is the child of Andrew O. and Cora P. Harlan, and that she was born on June 15, 1897, as appears from the birth affidavit made a part of the record herein.

The evidence further shows that the said Andrew O. Harlan and his wife, Cora P. Harlan, have lived together in Indian Territory continuously since his admission to citizenship in the Cherokee Nation, up to and including September 1, 1902. The residence of the minor children is shown to be the same as that of the parents.

It is, therefore, the opinion of this Commission that the said Andrew O. Harlan, Myrtle B. Harlan and Nina E. Harlan should be enrolled as citizens by blood of the Cherokee Nation, and that Cora P. Harlan should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions

of Section twenty-one of the Act of Congress approved June 28,1898, (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee,Indian Territory,

this JAN 15 1903

OPY.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Thomas	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	263	William H. Burrow	867

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Motes	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1864
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2016
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2137
Asa L. Guinn	2139
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2282
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2330
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Lonie K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Elsie O'Field	2977
Margaret Seagee	2993
Winfield S. Nance	3007
Benjamin P. Kelley	3010
Hallie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Durinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Elsie Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	[illegible]
Sydney E. Bell	[illegible]
Isaac H. Jordan	[illegible]
Charles Parks	[illegible]
Dora Frenchman	[illegible]
James R. Fugate	[illegible]
Maud Adams	[illegible]
Elizabeth Black	[illegible]
Anna Thornton	[illegible]
Robert T. Morrison	[illegible]
Perley Israel	[illegible]
William A. Lang	[illegible]
Mollie Swanwood	[illegible]
Frances Guess	[illegible]
Allen H. Gibson	[illegible]
John McFall Jr.	[illegible]
Albert W. Fitzsimmons	[illegible]
George S. Ford	[illegible]
Quinn Carr	[illegible]
William A. Powell	[illegible]
Austin Healey	[illegible]
Anna Bible	[illegible]
Elizabeth Riley	[illegible]
John P. Sudderth	[illegible]
Anderson Keen	[illegible]
Ida M. Adams	[illegible]
Martha J. Randall	[illegible]
Mollie Conner	[illegible]
Jane McGhee	[illegible]
Jennie Riley	[illegible]
Hannah Randall	[illegible]
Charles W. Childers	[illegible]
Nannie B. Riley	[illegible]
John W. McDaniel	[illegible]
Minnie Armstrong	[illegible]
Ada Chestnut	[illegible]
Mary Thompson	[illegible]
Ota Armstrong	[illegible]
Mary Spencer	[illegible]
Charlson F. Woods	[illegible]
James W. McConnell	[illegible]
Annie E. Coker	[illegible]
Jennie Long	[illegible]
Julia Gilstrap	[illegible]
Laura E. Hearth	[illegible]
Annie Nicholas	[illegible]
Minnie R. Taylor	[illegible]
Mary E. Rogers	[illegible]
Emma Downing	[illegible]
William Moore	[illegible]

Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Burrow L. James	4641
Ada Berryhill	4642
Alex Robbins	4644
Jane Dougherty	4649
Samuel Frances	4650
Clemon C. Peek	4652
Omar C. Framer	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Lorenzo H. Boone	4662
Thomas C. Mock	4668
Sallie Mixon	4669
Elizabeth E. Burgess	4671
LaFayette Brenden	4673
James M. Boling	4676
Frances A. Nelson	4681
John F. Smith	4689
Rufus S. Stewart	4691
John J. Hazletown	4694
Maggie O. Walkley	4695
George W. Luther	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Crook	4901
Ruby R. Bean	4904
William J. Dodson	4926
Blackburn Reed	4932
Viola Lowther	4961
William B. Harbison	4980
Henry D. McDonald	4989
Della McDaniel	4996
Dorothy Rathbone	4991
Ida Wesley	5003
Henry M. Leon	5100
Alice J. Wofford	5101
Vance Harris	5137
Ella Sullivan	5140
Winfield Williams	5144
Emma M. Smith	5145
Mary Humphrey	5207
Bessie Rogers	5208

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Daisey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612

William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5660
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5720
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5746
Robert N. Crafton	5760
Benjamin F. Coffee	5765
Frank McSpadden	5769
Charles D. Pendleton	5775
Hardon H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5795
Ida Wyly	5800
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5820

Horace H Hubbleston	5832
William R Sartain	5837
Joseph A Lawrence	5843
William H Hinton	5846
Joseph Lehr	5851
Sina M Young	5852
Mary C Barnes	5853
Matilda Thompson	5861
William W Young	5872
Earley F Ellis	5874
Rosa B Alberry	5877
Sarah Cannon	5879
Minnie Beck	5887
Jack H Merchant	5888
John D Merchant	5889
Sarah E Abernathy	5894
Jerry Young	5906
James H Brickey	5916
Mary Hicks	5919
George W Weems	5922
Albert Crain	5923
James M Jones	5932
Alfred W Shelly	5935
John M Stratton	5936
Waddie Hudson	5937
Robert C Johnson	5939
Mary T Thompson	5941
Edith A Parris	5943
Addie Hubbard	5949
John A Lowry	5962
John R W Beasley	5983
James T Carroll	5984
Christopher F Jordan	5985
Minerva E Stover	5986
John W Twitty	5987
Joseph W Mounce	5970
Cornelius P Potter	5971
Amanda C Thompson	5972
John M Rusk	5976
Harrison L Hughes	5978
Silas B Dishner	5983
Lewis M Payne	5985
Nancy Brasher	5988
Sarah F Selvidge	6002
Percy F Buckner	6005
John A Moreland	6010
Alice Welch	6015
Mary C Thompson	6022
Ida Beck	6029
William R Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G Langley	6038
John T Ham	6042
Mary L Jordan	6048
John W Bradshaw	6076
James L Dean	6079
Amanda J Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D Ryals	6113
John C DeLozier	6117
Jessie Willis	6118
Mary A Clark	6124
Mary J Tipton	6126
Leander Newton	6136
William A Qualls	6138
Henderson B Thomas	6144
Hugh T Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E Shaw	6194
Julia Keys	6211
Boon J Grey	6214
John Grubb	6216
William M Costephens	6230
Jane Bean	6232
Lillie I Taylor	6236
Abbie B Adair	6239
Mack C Watkins	6246
Robert W Murray	6261
John G Petty	6269
Lucinda Poorboy	6270
Sarah Mayes	6286
Henry W Pyeatt	6300
Isaac A Wilson	6305
John T Hall	6310
Edward L King	6315
Katie Still	6325
Emmer Carlile	6336
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6373
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6562
Georgia Jackson	
Leonard S. Simpson	
Addie Gentry	
James McInerney	
Fannie Carlile	
Sadie A. Mayfield	
Silas A. Bryan	
William S. Martin	
Emma J. Thompson	
Lydia McDaniel	
David W. Lamb	
Gus R Hart	
Pora Phillips	
Lois E. Daniel	
William W Turner	
Lillie B. Blackstone	6704
Mary Lillard	6705

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Grahams	7176
Ada Phariss	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Goad	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kiasay Sapaucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7498
Charles D. England	7512
May Corbran	7544
Rebecca Oglesby	7549

Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	9006
Mack Alfred	9015
Ida Harmon	9036
Ida McCoy	9417
Rosie Foreman	9903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9396
Nora Crapo	9269
Margaret Hafmon	9378
Mary B. Langley	9428
Ella GraVitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Sealbolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9472
Mollie C. Forbes	9476
William H. Thomason	9479
Mollie Devine	9491
Mary P. Guthrie	9492
Detlev N. Leerskov	9494
Nannie Cowart	9495
Leona Catcher	9499
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9509
Herbert Kneeland	9516
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9530
James R. Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9562
Florence Henry	9563
Jane H. Johnson	9569
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bagber	9577
James M. Smith	9582
John E. Hawworthy	9583
Dennis L. Lafon	9587
Robert L. Gentry	9589
John C. Barber	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Ann A. Hedrick	9599
William C. M. Robinson	9609
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Rose O. Reed	9618
Joseph E. Foland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Shadmore	9634
William H. Handley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mark H. Hanks	9640
Mary Ward	9643
George Green	9648
Philip Buckley	9649
Charley Riper	9671
Andrew J. Snyder	9672
William T. Benton	9674
Daniel Coel	9770
Mary M. Moore	9771
Lewis E. Burns	9864
Gideon R. Carmack	9865
Rose B. Berger	9867
Rachel Foreman	9868
Josephus C. Wills	9881
Virgie Seabolt	9884
Annie Cannon	9887
Isabella McCoy	9874
Robert E. Lee	9878

William G. Brown	9879
John B. Delay	9881
Fairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9930
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9950
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Rose M. Cox	9964
Jerusha E. Blair	9965
Eliza Kyle	9981
Ida Cushman	9982
James W. Fleming	9984
Samuel Holmes	9985
Walter H. Talley	9987
Hannah J. Miller	9988
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Stover	10021
Amanda E. Howell	10022
Minnie J. Rogers	10023
Minnie Rogers	10024

James B. Bradshaw	D00[illegible]	Millie A. Carnes	10113
Ida L. White	D00126	Lucy E. Robards	10114
Addie B. Miller	D00127	Edward H. Fitzgerald	10115
William R. Condry	D00128	John T. Pickard	10117
James D. Canary	D00129	Charles Rains	10118
John Kelley	D00131	Nancy Mayfield	10123
Kate Craig	D00133	Anna B. Tittle	10124
John A. Butts	D00134	Richard A. Clark	10126
John J. Dameron	D00135	Emma B. Martin	10128
William Warner	D00136	Walter L. Bates	10129
George A. Allen	D00137	Nellie Brewer	10130
Watie Shedley	D00138	William Heffernan	10131
John E. Carter	D00139	Lora Ackley	10132
John M. Boyd	D00143	Bessie Davis	10133
William Fister	D00147	Eva Brackett	10135
Darius B. Trotch	D00149	Caleba Carnes	10136
Harry A. Kelley	D00150	Jackson M. Waybourn	10138
Mary E. Purcell	D00151	Minnie Shutt	10139
Myron L. Bronson	D00152	Charles L. McClure	10140
George W. Taylor	D00153	William W. Russell	10141
Josie Lowther	D00154	Delia Jenkins	10142
Fannie D. Perry	D00155	John A. Hood	10143
Minnie B. Williams	D00156	Otha Maxfield	10145
Solomon Copeland	D00158	Mary L. Cloud	10146
Etha B. Wood	D00159	Callie Inlow	10147
James Pace	D00160	Everett M. Lowrence	10148
Wiley B. McElhaney	D00162	Dora E. Hays	10150
Nancy Patrick	D00163	Julia M. Schrimsher	10151
James R. Stout	D00C2	Parmelia E. Lyman	10153
George Parker	D00C3	Charles F. Trickey	10161
Laura Morton	D00C4	Lemon J. Palmour	10160
John D. Kelly	D00C5	George L. Walker	10170
Nettie Swift	D00C6	Annie Taylor	10171
Maggie Baldridge	D00C9	Jane Winston Hall	10174
David R. Stubblefield	D00[illegible]	Alice Norbob	10181
Thomas J. C. Thompson	D00[illegible]	Lizzie Day	10182
Cora P. Harlan	D00[illegible]	Emma Mooney	10[illegible]
William L. Singleton	D00[illegible]	Annie Winton	10187
Lester Evans	D00[illegible]	Marion Evans	10188
Ellen Mayfield	D00[illegible]	Elizabeth J. McClain	10189
Ella Bray	D00[illegible]	Ellen J. Price	10190
David J. Matthews	D00[illegible]	Rosie Still	10[illegible]
Thomas Brown	D00[illegible]	Hannah E. Langley	10[illegible]
Houston J. Payne	D00[illegible]	Alma Keith	10[illegible]
Malinda E. Scudder	D00[illegible]	Flora A. Terrill	10[illegible]
Henry Odell	D00[illegible]	Telesphore A. Paradee	10[illegible]
Fred Hay	D00[illegible]	Samuel Shadix	10[illegible]
Mary Russell	D00[illegible]	Mary E. Childers	10[illegible]
Thomas B. Brown	D00[illegible]	Robert M. Hamilton	10[illegible]
Samuel L. Milligan	D00[illegible]	John Millington	10[illegible]

Nannie Martin		10210	Joseph Reed	D	482
Sarah A. Fields		10214	Adolphus J. Hallum	D	483
Susie Henderson		10216	Alexander Walker	D	490
Charles H. Rienhardt		10218	Albert J. High	D	491
William H. Watkins		10221	America Matoy	D	501
Frank M. Rucker		10222	Moses L. Grazier	D	503
Henry C. Reed		10224	Myrtle Hall	D	509
Laura B. Timberlake		10226	Wallace Thursday	D	544
George A. Brown		10228	Thomas W. Baker	D	546
Drucilla Lowrey		10232	Mattie E. Keys	D	550
Almira Mouse	D	9	William S. Edwards	D	560
Lenora Brather	D	16	Susan L. Reed	D	572
Andrew M. Coster	D	17	William H. Lyman	D	574
Martin L. Stokes	D	28	Gracia Davis	D	577
Peter Walters	D	44	Edward C. Bolen	D	582
Columbus M. Reeves	D	58	Dora Guthrie	D	585
Sarah Barnes	D	103	Samuel H. Hawkins	D	594
George T. Kiddy	D	108	Lula M. Purcell	D	600
Henry C. Agent	D	139	Ben Estes	D	603
Joseph Phipps	D	147	Thomas M. Reynolds	D	621
Henry Hilton	D	149	Arthur Dodge	D	622
David A. McGlamery	D	161	Carrie L. McNair	D	624
Maggie Doublehead	D	169	Constantine N. Walker	D	641
Annie Lovett	D	180	Joseph Davis	D	648
Nora Hood	D	184	Leander A. Keys	D	650
John A. Johnson	D	232	James J. Barndollar	D	655
Nathaniel G. Simpson	D	242	Nathan J. Brink	D	682
Oneico W. Head	D	244	William S. Miles	D	688
Etta Taylor	D	245	Emma Waybourn	D	698
Susan V. Sullivan	D	262	Dora E. Rogers	D	706
Levi H. Tackett	D	263	James W. Turley	D	709
William H. Connelley	D	264	Lizzie Ward	D	711
Julia A. Sullivan	D	284	Robert J. Holly	D	713
May Fields	D	297	Belle I. Quinton	D	728
Katie Hummingbird	D	302	Francis M. Beothe	D	734
William F. Sager	D	320	Amos W. Lord	D	740
Levick P. Garrison	D	334	Agnes N. Childers	D	749
Henry Grubb	D	338	John E. Renfrow	D	753
Lucy F. Lacey	D	340	William Coon	D	759
Callie Blevins	D	341	Louis Bruner	D	779
James S. Alfrey	D	355	Georgia A. Waybourn	D	786
Shadrack C. Wallen	D	368	Eliza Fields	D	787
Ada Hall	D	376	William H. Brown	D	788
Jane M. Hicks	D	396	William A. Cox	D	793
Fannie L. Dupree	D	403	Charles A. Robison	D	799
Willie Battles, Jr.	D	404	Artha Williams	D	809
Joshua W. Ellis	D	413	Adam Gearhart	D	826
Nina B. Owen	D	440	Cleone F. Rogers	D	855
John M. Ridenour	D	458	Annie Garrett	D	856
Emery S. Thompson	D	464	George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1423
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willie Butler	D	2696
Claud Barger	D	2697
Dixie Conner	D	2698
John Colwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2706
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2802
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Tone McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Wildtshead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Osowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Eudora Steele	D	2828
William M. Stueker	D	2829
Sallie Tauuecie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morton	D	2920
Lizzie Anderson	D	2961
Francis Duval	D	2964
Wade S. Hayes	D	2967
James A. Hankins	D	2968
Joseph Hardee	D	2991
Tennie Horn	D	2992
Evaline Hall	D	2993
John R. Leftwich	D	2995
Mattie Hudson	D	2994
John D. Calvard	D	2996
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3043
Almedie Ross	D	3063
John S. J. Fowler	D	3065
Leaner Hood	D	3066
James D. Jackson	D	3067
Emma G. Nelson	D	3068
Alice Simco	D	3069
George O. Wallace	D	3069
Fannie Clay	D	3070
Ellen Drew	D	3070

Lue Fish	D	[illegible]	Della Baldridge	R	105
Horace Gray	D	[illegible]	Samuel Hickey	R	107
Lula Pack	D	[illegible]	Malissa Fields	R	144
Lelia C. Harris	D	[illegible]	Fred Zimmerman	R	220
Thomas Jones	D	[illegible]	Ella Sharpack	R	241
Benjamin Laws	D	[illegible]	Richard R. Kerr	R	286
Martha Spade	D	[illegible]	Belle A. Powell	R	352
Julian Wyrick	D	[illegible]	Austin L. Hill	R	420
Samuel Harlan	D	[illegible]	Mary L. Dudley	R	420
Lizzie Pharies	D	[illegible]	Stephen Hankins	R	465
Jack Michael	D	[illegible]	Mary A. Payne	R	484
Sarah E. Davis	D	[illegible]	Robinson Berry	R	[illegible]
Grace Guthrie	D	[illegible]	Sarah Wilson	R	[illegible]
Mary E. Thornton	D	[illegible]	Dora Carr	R	628
Mamie Thompson	R	4	Andrew Sirrell	R	642
Jimmie G. Thompson	R	5	John Sirrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Berger	R	656
Rowena McLaughlin	R	40	Ida Hankins	R	671
Martha A. Perdue	R	45	Lamar Davis	R	761
Gabriel L. Payne	R	61	Clara W. Emmons	R	803

THE RECORDS FURTHER SHOW That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of [illegible].

IT IS, THEREFORE, ORDERED AND ADJUDGED That in accordance with the decision of the Supreme Court of the United States, dated November 3, 1902, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 1035, 1036, 1037 and 1038, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Attorney. [illegible]

Commissioner.

Dated at Muskogee, Indian Territory,

this January 19, 1907.

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 10th, 1902.

Mr. Andrew O. Harlan,

McAlester, Indian Territory,

Sir:-

You are hereby notified that the application of yourself, your wife and two minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 26th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-425

Register.

Acting Chairman.

E D425

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB [illegible] 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 10th, 1902

Mr. Andrew G. Burton,

Hulbert, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and two minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 26th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be allowed an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Chairman.

Enclosure.

Acting Chairman.

Cherokee D-428.

COPY.

Muskogee, Indian Territory, January 15, 1908.

W. W. Hastings,
Attorney for Cherokee nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1908, granting the application of Andrew C. Harlan for the enrollment of himself and his two minor children Myrtle I. and Vina E. Harlan, as citizens by blood, and for the enrollment of his wife, Cora F. Harlan, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from said hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. D-C.

COPY.

Chandler 2-128

Muskogee, Indian Territory, February 3, 1908.

J. R. Sequichie,

Agent for Andrew G. Harlan et al.,

Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 13, 1908, granting the application of Andrew G. Harlan for the enrollment of himself and two minor children, Myrtle E. and Nina E. Harlan, as citizens by blood, and for the enrollment of his wife, Cora F. Harlan, as a citizen by intermarriage, of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. 2-128

Register.

Copy.

Enrollment D-435

Muskogee, Indian Territory, February 5, 1906.

Andrew O. Harlan,

Hulbutter, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1906, granting your application for the enrollment of yourself and your two minor children, Myrtle L. and Vina E. Harlan, as citizens by blood, and for the enrollment of your wife, Cora F. Harlan, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. D-435

Enclosure.

REFER IN REPLY TO THE FOLLOWING
Cherokee
10068

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 10, 1907.

Cora P. Harlan,

South McAlester, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully.

Commissioner.

Incl. Decn. 2

REFER IN REPLY TO THE FOLLOWING:
Cherokee 10088

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 12, 1907.

Cora P. Harlan,

South Mcalester, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner

D

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March

ried with Cherokee citizens prior to December 1, 1905, and who have the right under the Act of Congress approved March 2, 1907 Public 180, to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes either at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make formal complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, [illegible] former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for, within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

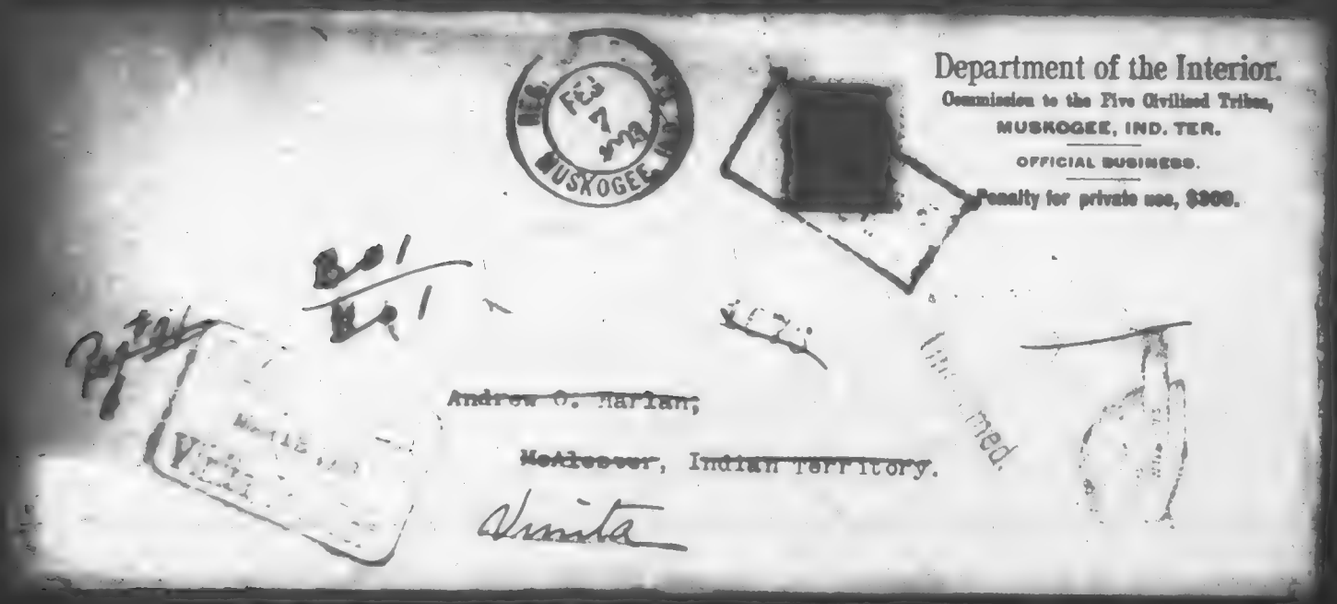
You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watso, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

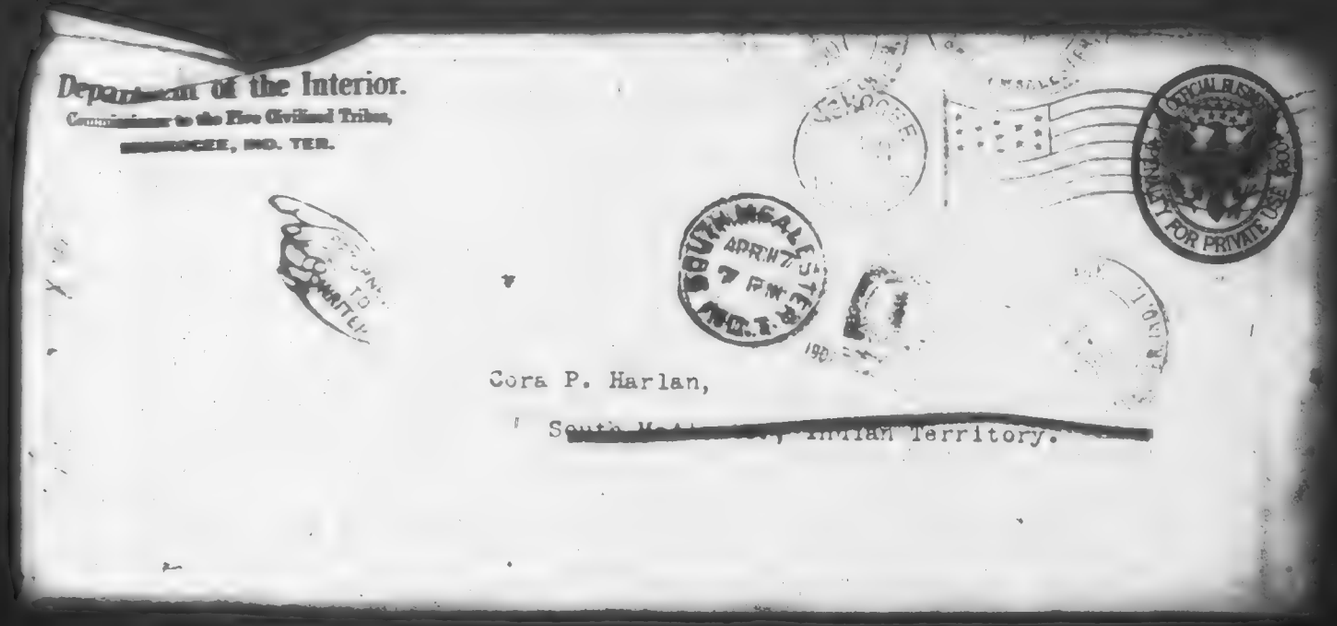
For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-100
MTM

Commissioner.


Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.
FEB 7 1903
MUSKOGEE
Andrew O. Harlan,
Indian Territory.


Department of the Interior.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300
APR 7 7 PM
Cora P. Harlan,
Indian Territory.


Department of the Interior.
FEB 25 1907
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300
JAN 28 1907
Cora P. Harlan,
Returned to Writer
2951

Cher 10083

William L. Singleton

Trans. from D442

Cher 10083

Department of the Interior,
Commission to the Five Civilized Tribes
Tahlequah, I. T. September 26, 1900.

In the matter of the application of William L. Singleton for the enrollment of himself, wife and 7 children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testified as follows:

Q What is your name? A William L. Singleton.
Q What is your age? A 57
Q What is your post-office? A Kiamu.
Q What tribe do you claim in? A Delaware.
Q What is it you want to have put on the roll? A Myself and wife and seven children.
Q Are you a Delaware by blood? A Yes sir.
Q Is your wife a Cherokee? A Shawnee.
Q What per centum Cherokee blood? A Half.
Q Have you your marriage license or certificate? A Yes sir.

(Produces same.)

Com'r Breckinridge: The applicant presents duly authenticated Cherokee marriage license issued by the Clerk of Delaware District Court, dated April 17th, 1877, authorizing marriage between himself and Annee Choutou the latter a citizen of the Cherokee Nation; the certificate shows that they were married in accordance with said license on the 17th day of the same month and year, by the Rev. Charles Bluejacket; these documents are filed herewith.

Q Is your wife still living? A Yes sir.
Q Have you and she lived together ever since your marriage?
A Yes sir
Q And live on the Cherokee Nation continuously? A Yes sir.
Q How old is your wife? A About forty-two.
Q Has she a residence on the Cherokee Nation? A Yes sir.
Q Has she resided there all her life? A No sir, came with the rest in 1871
Q Was she living there when you settled there, in 1880? A I don't think they were enrolled.
Q Why wasn't she enrolled in 1880? A She wasn't here. She was up at the old place; her father took her there.
Q She was twenty-two years old then? A I guess so, about that.
Q Did you marry in there? A I married here and there too; I lived up there, and married her and came here in the fall of 1880.

Com'r Breckinridge: The applicant presents certificate of marriage issued by justice of the peace A.W.Allen, of Johnson County, State of Kansas, showing that in accordance with United States law he remarried his wife on December 14 1877; this is filed herewith.

Q You married your wife in 1877 in Kansas, and then you brought her down here in 1880? A Yes sir.
Q And have been living here ever since? A Yes sir.
Q None of you are on the roll of 1880? A I guess not, not that I know of.
Q Did you apply to have them put on? A No sir, I wasn't here.
Q Did she claim the Cherokee Nation as her residence in 1880?
A Yes sir.
Q What tribe did she claim to live in? A Delaware.
Q Who was her father? A William Choutou.
Q Is he deceased also? A Alive.
Q What was her mother's name? A Mary.
Q Is she dead or alive? A Dead.
Q How long did he reside, more than 20 years? A Yes sir 25 years I guess.
Q Was her father on the roll of 1880? A I don't know.
Q Did he claim to have been here at that time? A Yes sir, and all his family.
Q Did he come in 1871? A Yes sir.

Q Give me th names of these children? A (Applicant hands Commissioner list of names of his children:
Q The oldest one is named Polly? A Yes sir.
Q 18 years old, is that right? A Yes sir.
Q Nedt one is Frank, 14 years old? A Yes sir.
Q Next one Henry, that right? A Yes sir.
Q 12 years old? A Yes sir.
Q Next one John, 10 years old? A Yes sir.
Q Next one Dock, 8 years old? A Yes sir.
Q Next one Rosa, six years old? A Yes sir.
Q Next one is Charley, 3 years old? A Yes sir.
Q These children all living now? A Yes sir.
Q These children all born since you brought your wife in 1871?
A Yes sir.
1890 [illegible]
1893 roll page 383 #346 W. [illegible]
1896 [illegible]
1896 [illegible]
1896 roll page 612 #326 Frank Singleton Delaware District;
1896 roll page 612 #327 Henry Singleton "
1896 roll page 612 #328 John Singleton "
1896 roll page 612 #329 Doc Singleton "
1896 roll page 612 #330 Rosa Singleton "
Q Do you claim that your wife is on the roll of Delawares that moved here in 1871? A I do.
Q And her father also? A Yes sir
Q When her father went back to Kansas did he go there to live or what? A He had some preoperty, that he went there to attend to and sell.
Q Did he stay there permanently or come back here? A Yes, he come back here; been here 13 years. He come back here as soon as he sold his land.
Q Come back here as soon as he was through and went to making his home here? A Yes sir.

Examined by Cherokee Attorney W.T. Hutchings:
Q He was about 10 or 15 years selling it? A I think nine or ten.
Q You were a citizen of Kansas at the time you married your wife up there A Yes sir.
Q Did you continue to exercise the rivileges of citizenship in Kansas from the date of your marriage until you removed here, about three or four years? A Three years yes sir.

By Commissioner Breckinridge:

Q When you say you married, you say you married under United Stateslaw or Cherokee law A Yes sir, married there.
Q Did you continue to exercise the rights of citizenship there after your marriage under Cherokee law? A No sir.
I have always lived here ever since I was married.
Q I understand you to say that you exercised the rights of citizenship in Kansas between the time of your marriage under United Stateslaw and the time you married under Cherokee law? A Yes sir
Q But not after your marriage under Cherokee law? A No sir.
Q Is that right? A That's right, yes sir.

Com'r Breckinridge: The applicant applies for the enrollment of himself his wife and seven children. He claims that his wife is on the Shawnee roll of 1871; that she came here with her father in 1871, and that she went back with her father during a period of some eight or nine years when he was disposing of his property in Kansas, although for the last 18 or 19 years he and his wife have lived continuously in the Cherokee Nation.
He married first, as shown, under United Statestaw, and on March 17, 1881 married her under Cherokee law; he states that he never exercised the rights of citizenship outside the Cherokee Nation after

his marriage under Cherokee law; but that since that date he has lived with his wife continuously in the Cherokee Nation. He claims that it is due to his wife's temporary absence with her father in Kansas that she was omitted from the roll of 1880, she not being found upon said roll. He and his wife have lived together ever since their marriage in 1881; applicant is identified with her on the roll of 1896 and he will be listed now upon a white card, as a Cherokee by adoption, and his case will be held under advisement for further consideration . His wife is identified on the roll of 1896; she will be listed with her husband upon a white card for further consideration.
Of their 7 children the first 6 enumerated in the testimony are identified with their parents on the roll of 1896; these children appear to have all been born since the marriage in accordance with Cherokee law was consummatted between their parents, they are living at this time and they will be listed with their mother and father upon a white card for further consideration. When the Commission is supplied with proper certificate of birth as to the youngest child, Charley that child will also be listed with its mother and father upon a white card. The mother and children will all be listed as Cherokee Shawnees; the father as a Cherokee by adoption, and he point to be considered particularly is the question of citizenship as effected by the temporary residence of the applicant's wife in the State of Kansas prior to her Cherokee marriage .

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 27 day of September 1900.

C A Russell

Commissioner.

Okla. 10083

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 22 1900

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 28 1900

DELAWARE

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 26 1900.

57 Name William L Singleton, Klaus D

District DELAWARE Year 1896 Page 588 No. 486

Citizen by blood Yes Mother's citizenship

Intermarried citizen Yes

Married under what law Cherokee Date of marriage 1881

License Certificate

2 Wife's name Annie Singleton

District DELAWARE Year 1896 Page 612 No. 322

Citizen by blood Shawnee ¼ Mother's citizenship Mrs Chouteau — — 2

Intermarried citizen No. " Mary " — — 4

Married under what law U.S. Date of marriage 1877

License Filed SEP — 1900 Certificate Filed SEP — 1900

Names of Children:

3	Dolly Singleton	Dist. DELAWARE	Year 1896	Page 612	No. 325	Age 18
4	Frank "	Dist. "	Year "	Page 612	No. 326	Age 14
5	Henry "	Dist. "	Year "	Page 612	No. 327	Age 12
6	John "	Dist. "	Year "	Page 612	No. 328	Age 10
7	Jack "	Dist. "	Year "	Page 612	No. 329	Age 8
8	Rosa "	Dist. "	Year "	Page 612	No. 330	Age 6
9	Charley "	Dist.	Year	Page	No.	Age 2
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age

3 On 1896 Roll as Lottie Singleton

7 " " " Dot " "

9 Affidavit of birth to be supplied

Marriage license and certificate attached.

Ckn. 10083

Filed Sep 26 1900

Cherokee D 442

Cherokee Nation,

Delaware District.

To any regular Minister of the Gospel or any of the Judges or clerks of this Nation to execute and return.

GREETING:

You are hereby commanded in the name of the Cherokee Nation to solemnize the Rites of matrimony of Marriage between W. L. Singleton a citizen of the United States and Annie Choutou A citizen of the Cherokee Nation by blood the said W. L. Singleton having complied with the law Regulating Intermarraige of white men and foreigners.

Given from under my hand and the seal of office on this the 3rd day of March A. D. 1881.

(S E A L) T. J. McGhee.

CERTIFICATE OF MARRIAGE.

This is to certify and make known that I have this 17th day of March 1881 joined together in the Holy B onds of Matrimony W. L. Singleton and Annie Choutou of the Cherokee Nation.

Witness
his
Henry x Blujacket
mark

Charles Blujacket
Minister of the Gospel.

her
Louisa Blujacket
x
mark

The within on record to be found on page (112) of the marriage record Book in the Clerks office of Del Dist.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the originals on file in this office.

Ella Thacker

Filed Sep 26 1900

Cherokee D 445

CERTIFICATE OF MARRIAGE.

THIS IS TO CERTIFY THAT, I have this day joined in MARRIAGE/ William L. Singleton of Johnson County State of Kansas, and Miss Annie Choates of Johnson County State of Kansas according to the laws of the State of Missouri and that there were present as witnesses H. S. Ramsey of Jackson County Mo and A. W. Rucker of Jackson County Mo

A. W. Allen

Dated December 18th 1877. Justice of the Peace

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the certificate on file in this office.

Ella Mills Looney

E

IN RE

Application for Enrollment of

INFANT CHILD

Charley Singleton

as a citizen of the

Cherokee Nation.

FILED

Dawes 1444

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible] Nation,
of Charley Singleton, born on the 15 day of Sept 1898
(Here insert name of child)
Name of Father Wm L Singleton, a citizen of the Cherokee Nation.
Name of Mother Annie Singleton, a citizen of the Cherokee Nation,
Post-office Mans. I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Annie Singleton, on oath state that I am 42
years of age and a citizen, by Blood of the Cherokee Nation;
that I am the lawful wife of Wm L. Singleton, who is a citizen, by
adoption, of the Cherokee Nation; that a Male child (male or female) was
born to me on the 15th day of Sept, 1898; that said child has been
named Charley Singleton, and is now living.

Annie Singleton

(Must be Two Witnesses)

Subscribed and sworn to before me this 21 day of Sept. 1898

Jno E Butler

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Hattie Grant, a Midwife, on oath state that I
attended on Mrs. Annie Singleton, wife of Wm L. Singleton,
on the 15 day of Sept 1898; that there was born to her on
said date a Male (male or female) child; that said child is now living and is said to have been
named Charley Singleton.

Hattie Grant

(Must be Two Witnesses)

Subscribed and sworn to before me this 21 day of Sept 1898

Jno E Butler

"B"

D 442

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 27, 1902.

In the matter of the application of William L. Singleton, for the enrollment of his wife and children as citizens of the Cherokee Nation:

Applicant was notified by registered letter on February 11, 1902, and his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up by the Commission for final consideration on the 27th day of February, 1902.

Receipt has been acknowledged of the Commission's letter, and on this day, to-wit: the 27th day of February, 1902, the applicant appears in person and by his agent J. R. Sequichie.

Is there any statement you desire to make in this case ?

Mr. Sequichie: No sir, it is all fully brought out in the testimony.

The Commission: The agent for the applicant and the representative of the Cherokee Nation present, submit this case to the Commission, and the same is ordered closed and reported to the Commission for a decision based upon the evidence now of record.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell.

Subscribed and sworn to before me this February 28, 1902.

Commissioner.

Chas
Supp'l to # 442

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 16, 1902.

In the matter of the application of WILLIAM L. SINGLETON, for the enrollment of himself as a citizen by intermarriage, and his wife ANNIE SINGLETON, and his children, DOLLY, FRANK, HENRY, JOHN, ROCK, ROSA and CHARLEY SINGLETON, as citizens of the Cherokee Nation, of Shawnee blood:

WILLIAM L. SINGLETON, being duly sworn and examined by the Commission to the Five Civilized Tribes, testified as follows:

Q What is your name ? A William L. Singleton.
Q What is your age at this time ? A Fifty nine.
Q What is your post office ? A Pecora.
Q Are you the same William L. Singleton that applied to this Commission for enrollment as an intermarried citizen in September, 1900 ? A Yes sir.
Q What is your wife's name ? A Annie.
Q Is she a citizen by blood of the Cherokee Nation ?
A Yes sir.
Q She is a Shawnee isn't she ? A Yes sir.
Q When were you married to your wife Annie ?
A In 1881.
Q Where ? A In the Cherokee Nation.
Q Were you married to her under a Cherokee marriage license ?
A Yes sir.
Q Have you filed your license with the Commission ?
A Yes sir.
Q Were you ever married before you were married to your wife Annie ? A Yes sir.
Q How many times were you married before ? A Twice.
Q What was your first wife's name ? A Laura.
Q Was she a white woman ? A Yes sir.
Q Was your first wife dead when you married Annie ?
A Yes sir.
Q What was your second wife's name ? A Mary.
Q Was she a white woman or a Cherokee ? A A white woman.
Q Was she living or dead when you married Annie ? A Dead.
Q Had your wife Annie ever been married before she married you ?
A No sir.
Q Was your your third wife ? A Yes sir.
Q And you were her first husband ? A Yes sir.
Q Have you and your wife Annie lived together continuously from the time you were married in 1881 up to the present time ?
A Yes sir.
Q You have never been separated ? A No sir.
Q Living together on the first day of September, 1902, as husband and wife, were you ? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since you were married to your wife Annie ? A Yes sir.
Q Has she lived in the Cherokee Nation with you for the same time ?
A Yes sir.
Q Are these children, Dolly, Frank, Henry, John, Rock, Rosa and Charley, all your children by your wife Annie ?
A Yes sir.
Q Are these children all living at this time ? A Yes sir.
Q Have they lived in the Cherokee Nation all their lives?
A Yes sir.

E. Bagwell, on oath, states that, as stenographer to the commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. E. Bagwell

Subscribed and sworn to before me this December 13, 1902.

B. C. Jones
Notary Public.

Subscribed and sworn to before me this November 13, 1905.

Notary Public.

Cherokee D-442.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William L. Singleton as a citizen by intermarriage, and of Annie Singleton, and their seven minor children, Dolly, Frank, Henry, John, Dock, Rosa and Charley Singleton, as citizens of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

-oOOo-

The record in this case shows that on September 26, 1900, William L. Singleton appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Annie Singleton, and their minor children, Dolly, Frank, Henry, John, Dock, Rosa and Charley Singleton, as citizens of the Cherokee Nation of Shawnee blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902.

The evidence in this case shows that William L. Singleton was lawfully married on December 18, 1877, in accordance with the laws of the State of Missouri, to Annie Chouteau, and subsequent thereto he was remarried to his said wife under authority of a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, on March 17, 1881. Prior to his marriage to his said wife, Annie, it appears that he had been married twice, and both of those wives were dead at the time of his marriage to his present wife.

The evidence further shows that his said wife is identified under the name of Annie Chouteau on a certain register of names of those who located in the Cherokee Nation under the terms of the treaty concluded between the Cherokee Nation and the Shawnee tribe of Indians on June 7, 1869, and approved by the President of the United States on June 9, 1869. As a result of this marriage the minor children, applicants herein, were born. The applicants herein are identified on the Cherokee census roll of 1896, except Charley Singleton, who was born subsequent to the making of said roll, and is duly identified by an affidavit of birth made a part of the record herein.

The evidence further shows that William L. Singleton has lived with his said wife Annie, in the Cherokee Nation continuously from his marriage to her up to and including September 1, 1902. The minor children, applicants herein, have resided in said Nation all their lives.

It is, therefore, the opinion of this Commission that William L. Singleton should be enrolled as a citizen by intermarriage of the Cherokee Nation, and Annie Singleton, Dolly Singleton, Frank Singleton, Henry Singleton, John Singleton, Dock Singleton, Rosa Singleton and Charley Singleton should be enrolled as citizens of the Cherokee Nation of Shawnee blood, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N Wilson	185	William Gordon	798
Ulae Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	263	William H. Burrow	967

[illegible]	977
[illegible]	985
[illegible]	993
[illegible]	1029
[illegible]	1065
[illegible]	1073
[illegible]	1089
[illegible]	1090
[illegible]	1092
[illegible]	1094
[illegible]	1099
[illegible]	1111
[illegible]	1128
[illegible]	1136
[illegible]	1137
[illegible]	1141
[illegible]	1149
[illegible]	1177
[illegible]	1225
[illegible]	1234
[illegible]	1247
[illegible]	1264
[illegible]	1265
[illegible]	1275
[illegible]	1276
[illegible]	1278
[illegible]	1279
[illegible]	1290
[illegible]	1290
[illegible]	1333
[illegible]	1340
[illegible]	1347
[illegible]	1350
[illegible]	1368
[illegible]	1369
[illegible]	1385
[illegible]	1396
[illegible]	1418
[illegible]	1433
[illegible]	1449
[illegible]	1492
[illegible]	1508
[illegible]	1509
[illegible]	1511
[illegible]	1513
[illegible]	1537
[illegible]	1539
[illegible]	1540
[illegible]	1550

Millie Morton	1554
Andrew Walters	1573
John H Holder	1610
Mary M Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Lee Adair	1913
Henrietta Irving	1920
Burd Trippard	1925
John C Carlile	1937
John W Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Ace L. Guinn	2159
Rebecca J. Flying	2172
Thomas J Measles	2192
Julia Condy	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252

William A J Trotter	[illegible]
Albert P. Goforth	[illegible]
Anna B Martin	[illegible]
William Brown	[illegible]
Jennie B Bluejacket	[illegible]
William Little	[illegible]
John M A Russell	[illegible]
Andrew J Smith	[illegible]
William N Blakemore	[illegible]
Lizzie Denton	[illegible]
Belle Hudson	[illegible]
Thomas S Heady	[illegible]
William M Roseborough	[illegible]
Madison G Hawkins	[illegible]
Japhat F. Ellis	[illegible]
Emma McAffrey	[illegible]
William T Hiatt	[illegible]
Myra F Chouteau	[illegible]
Phillip Donohoo	[illegible]
Fred L. Kelley	[illegible]
Annie Herod	[illegible]
Maggie V Fields	[illegible]
Lou Payne	[illegible]
Frederick W Strout	[illegible]
Andrew L McCamish	[illegible]
Sarah Dirtthrower	[illegible]
William P Coble	[illegible]
Robert L Madison	[illegible]
Mariah McDowell	[illegible]
Elizabeth R Thornton	[illegible]
Donithan A Wilson	[illegible]
Charles F Covey	[illegible]
Tamsey M Williams	[illegible]
Mary J Wolfe	[illegible]
Lathan Lumbard	[illegible]
Micajah P Haynes	[illegible]
Annie L Wingfield	[illegible]
Mary Fields	[illegible]
William W Dudley	[illegible]
Minnie M McLaughlin	[illegible]
Henry B Lindsey	[illegible]
Wilbert H Parkison	[illegible]
Seth R Hall	[illegible]
Wiley Hanna	[illegible]
Martha M Woods	[illegible]
Lizzie Gray	[illegible]
Nancy C Carey	[illegible]
Annie E Kenney	[illegible]
William H Ward	[illegible]
Nannie Brewer	[illegible]

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4638
Pigrow L Jones	4641
Ada Berthoff	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John L Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4930
Della McDaniel	4956
Dorothy Ratthinggourd	4991
Ida McCay	5008
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5287
Donnie Burgess	5295

Mary B Burgess	5236
John E Ritter	5239
Blanche Rogers	5240
Amanda Foreman	5244
William H Wells	5261
John T Gaylor	5266
Annie Sweeten	5269
Blanche Hendricks	5278
Emma Chambers	5328
James H Thomas	5329
Melville B Barry	5332
James R Grissom	5336
Charles Horton	5340
James W Goddard	5417
Dora Cox	5425
Jeanne G Alberry	5426
Sallie Ward	5455
William H Satterlin	5464
Lizzie Hall	5467
Carrie B Hosey	5469
Ella Dagner	5495
Laura Dagner	5494
Hlenter De Miller	5496
Emberson M Arm	5499
Sheila Henry	5499
William H Green	5506
John W Sharp	5509
John L Dacus	5514
Samuel H Downing	5515
Sammuma C Cha	5524
Hiram Jones	5525
Agnes Platt	5532
James W Hadley	5535
Phoebe Colbert	5537
Smithson K Douglas	5538
Joseph H Johnson	5541
Harvey G Hays	5547
Alice Glass	5558
William Horne	5566
Silas Coats	5572
Della Reed	5575
William R Garner	5576
Ross W Strickler	5581
Nancy Barrow	5587
Eleanor H Green	5589
Jennie R C Green	5600
Jesse Richnight	5602
Charles J Strange	5610
Henry Westenhaver	5611
Emma H Beach	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shamp	5624
Thomas B Dirkson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Segel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluepacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Asa W Summerson	5683
William J Kuhn	5686
Elsie Leech	5688
William H Robinson	5692
Rachel Washington	5693
Isaac B Blackwood	5700
Jane R Johnson	5701
Jerome W South	5702
William H Chesnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5730
Joseph S Layne	5731
Lena Bell	5737
Jesse N Cox	5748
Robert N Crafton	5750
Benjamin F Colley	5756
Frank Mesquadden	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Exine	5796
Ida Wirb	5802
Richard L Fite	5815
Edward Lutz	5816
John F Wentworth	5829

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Eun M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Albery	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Bricker	5916
Mary Hicks	5919
George W. Wren	5922
Albert Cram	5923
James M. Jones	5932
Alfred W. Stell	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5945
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Beamer	5963
James T. Carroll	5968
Christopher F. Jones	5965
Minerva L. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5986
Sarah F. Sylvrdge	6001
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6017
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Wheeln Rouse	6033
[illegible] West	6036
[illegible] Hunter	6037
[illegible] Langley	6038
[illegible] Egan	6042
[illegible] Jordan	6048
[illegible] Beauchamp	6076
[illegible] Dean	6079
[illegible] Thompson	6082
[illegible] Hancock	6089
[illegible] Boone	6111
[illegible] Reese	6113
[illegible] Hoffmeier	6117
[illegible] Willis	6118
[illegible] Clark	6124
[illegible] Egnew	6125
Reunter Newson	6136
William W. Squires	6138
Henderson B. Thomas	6144
[illegible] Williams	6163
[illegible] Kee	6172
[illegible] Williams	6186
[illegible] Barker	6189
[illegible] Shaw	6194
[illegible] Kee	6211
[illegible] Cole	6214
[illegible] Williams	6216
William W. Christmas	6230
[illegible] Bean	6232
Callie E. Fraser	6236
Minnie E. Adair	6239
[illegible] Williams	6246
Romeo W. Murray	6261
[illegible] Perry	6269
Rachman Bourlow	6279
Sarah Waters	6296
Henry W. Pyeatt	6300
Jesse A. Wilson	6303
John D. Hall	6310
Edward L. King	6315
Rosie Neal	6325
Emmer Carlile	6338
Bird Webster	6347
Lannie Morris	6352
Leonard Lee	6357
James R. Miller	6362
James Brashears	6370
Nora Wilson	6371
John F. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Pora Phillips	6632
Lois E. Daniel	6678
William W. Turner	6680
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Phariss	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Goad	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kinsey Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7498
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Knealand	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Nelle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Lecia E. Herrin	9854
Gailen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875
William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
John E. Setser	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10189
Eliza J. Price	10190
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oncico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	324
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878	Ella Vann	D	1328
Manuel Spencer	D	884	Emma Walton	D	1329
Benjamin H. Hulbert	D	891	Minnie Downing	D	1332
Mary Brassfield	D	935	Katie Rimer	D	1334
James L. Tindle	D	944	[illegible] Mills	D	1337
Silas G. Reneckar	D	966	Alice E. Wood	D	1342
Eliza Wofford	D	967	[illegible] Whitesides	D	1352
Jasper L. Newton	D	971	[illegible]	D	1361
John N. Guinn	D	974	[illegible]	D	1363
Hannah Parson	D	989	[illegible]	D	1367
Nellie C. Helterbrand	D	1003	[illegible]	D	1369
Thomas J. Welch, Jr	D	1006	[illegible]	D	1375
Lizzie Christian	D	1010	[illegible]	D	1433
George Hazlewood	D	1015	[illegible]	D	1434
James M. Jones	D	1022	[illegible]	D	1448
Reuben A. Evans	D	1032	Minnie Nunn	D	1456
Carrie H. Cobb	D	1049	[illegible]	D	1474
John M. Burns	D	1069	[illegible]	D	1535
Sarah E. Henson	D	1085	[illegible]	D	1536
Laura D. Henson	D	1086	[illegible]	D	1567
Hettie E. Downing	D	1096	[illegible]	D	1581
Benjamin F. Crain	D	1096	[illegible]	D	1657
Benjamin Strickler	D	[illegible]	[illegible]	D	1661
Nancy Spannard	D	[illegible]	[illegible]	D	1666
Annie Wilson	D	[illegible]	[illegible]	D	1913
Ora H. Maxwell	D	[illegible]	[illegible]	D	1967
Reuben W. Moore	D	[illegible]	[illegible]	D	1994
Cora Childs	D	1140	[illegible]	D	2024
Jamie Hughes	D	1170	[illegible]	D	2216
Francis B. Reid	D	1180	[illegible]	D	2591
Martha Carey	D	1195	[illegible]	D	2592
Christina Johnson	D	1199	[illegible]	D	2595
Louvenia Ironside	D	1208	[illegible]	D	2599
Martha J. Henson	D	1218	[illegible]	D	2603
David A. Martin	D	1228	[illegible]	D	2605
Fred D. McEnery	D	1235	[illegible]	D	2606
Nathaniel R. Martin	D	1261	[illegible]	D	2607
James H. Requin	D	1266	[illegible]	D	2608
Frank Carver	D	1267	[illegible]	D	2609
Etta B. Payne	D	1270	[illegible]	D	2612
Mary Garrett	D	1271	[illegible]	D	2613
Joe W. Goodman	D	1272	[illegible]	D	2614
Mathew J. Flanigan	D	1276	[illegible]	D	2618
Lizzie C. Holland	D	1285	[illegible]	D	2619
Etta Downing	D	1291	[illegible]	D	2620
William Caywood	D	1296	[illegible]	D	2667
Clarence W. Turner	D	1307	[illegible]	D	2696
Alfred Chaney	D	1313	[illegible]	D	2697
Euphemia Sweetwater	D	1314	[illegible]	D	2699
Etta Russell	D	1319	[illegible]	D	2699

Herbert F. Couch	D	2700	Samuel A. Parkhurst	D	2821
Albert C. Dykes	D	2703	Ellen Rogers	D	2822
Delora Drew	D	2704	Elijah Rolland	D	2827
Frank F. Danderson	D	2705	Endora Steele	D	2828
James Gafford	D	2708	William M. Stucker	D	2829
Anna L. Harlin	D	2715	Sallie Tauuneacie	D	2831
William R. Lipsey	D	2717	Mary Tassle	D	2832
Bertha Landrum	D	2718	John F. Wolf	D	2835
Lila More	D	2722	Ruth A. Ward	D	2840
John D. Mathews	D	2723	Winnie Daugherty	D	2884
Mary McIntosh	D	2725	Mary Guthrie	D	2885
Bertha Nidiffer	D	2730	Lydia Long	D	2886
Richard Nichols	D	2731	Edda Roberts	D	2887
William S. Ross	D	2738	Manda Ward	D	2889
Irene Riley	D	2739	Elmira J. Alberty	D	2905
William H. Rowley	D	2740	Thomas C. Cordray	D	2906
Colombus C. Scroggins	D	2741	Edward Fowler	D	2907
Della Summers	D	2743	Dora Foreman	D	2908
William S. Sage	D	2744	Parker Holt	D	2909
Eliza Thomas	D	2748	John Haston	D	2910
John P. Thurman	D	2749	Georgie Harlin	D	2911
Mary E. Davis	D	2770	Percillia Johnson	D	2913
Jessie Frick	D	2774	Bettie Morton	D	2915
Enna Buffington	D	2788	Samantha Spade	D	2917
Will Black	D	2789	Mariah Ward	D	2918
Maggie E. Davis	D	2792	Ellen Watt	D	2919
Thomas Dotts	D	2793	Nora Morten	D	2920
William Daws	D	2794	Lizzie Anderson	D	2981
Nancy Dawson	D	2796	Francis Duval	D	2984
Lena Fields	D	2797	Wade S. Hayes	D	2987
Effie Grayham	D	2798	James A. Hankins	D	2988
Alice C. Hill	D	2799	Joseph Hardee	D	2991
Bertha H. Harlin	D	2800	Tennie Horn	D	2992
Margrett C. Hudson	D	2801	Eveline Hall	D	2993
Joseph A. Kelley	D	2803	John E. Leftwich	D	2995
Andrew O. Kepler	D	2804	Mattie Henson	D	2994
Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shanks	D	3000
John A. McKenzie	D	2808	Nettie Young	D	3009
Ione McGee	D	2809	Jerry P. Ables	D	3048
Ollie Miller	D	2810	Almedie Ross	D	3052
William A. Martin	D	2811	John S. J. Fowler	D	3055
Jesse P. Morrow	D	2812	Leaner Hood	D	3056
Oliver Mason	D	2813	James D. Jackson	D	3057
Edna Whitehead	D	2814	Emma G. Nelson	D	3058
Charley Nuckolls	D	2815	Alice Simco	D	3059
Etta M. Nidiffer	D	2817	George O. Wallace	D	3060
Lonjser Onowoo	D	2818	Fannie Clay	D	3078
William H. Patterson	D	2820	Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 11, 1902

Mr. William L. Singleton,
Elsey, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and seven minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony, before they will be permitted to do so.

Yours truly,

Cherokee 3-668
Enrollment.

Acting Chairman.

1 Dift2

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 15 1902

COPY.

Cherokee D-642.

Muskogee, Indian Territory, January 25, 1905.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 23, 1905, granting the application of William L. Singleton for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Annie Singleton, and his seven minor children, Polly, Frank, Henry, John, Dock, Rosa and Charley Singleton, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. E-7.

COPY.

Cherokee D-448

Muskogee, Indian Territory, February 3, 1903.

William L. Singleton,

Cleora, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Annie, and your seven minor children, Dolly, Frank, Henry, John, Buck, Rosa and Charley Singleton, as citizens by blood, of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. D-126

Registered.

Copy

Cherokee 2-468

Muskogee, Indian Territory, February 8, 1906.

J. R. Sapulpa,

Agent for William L. Singleton et al.,

Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1906, granting the application of William L. Singleton for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Annie, and his seven minor children, Lilly, Frank, Henry, John, Jack, Dan and Charley Singleton, as citizens by blood, of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. 2-468

Enclosure.

Cherokee
10063

Muskogee, Indian Territory, January 16, 1907.

William L. Singleton,

Cleora, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. _____ Commissioner.

Cherokee 10063

Muskogee, Indian Territory, March 12, 1907.

William L. Singleton,

Cleora, Indian Territory.

Dear Sir:-

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watts, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.9-100
KRE

Commissioner.

2100-1908.

Muskogee, Oklahoma, February 28, 1908.

Mr. William L. Singleton,
Afton, Oklahoma.

Sir:

As requested in your letter of February 22, 1908, there are inclosed herewith marriage license and certificates which were filed in connection with your application for enrollment as a citizen by intermarriage of the Cherokee Nation. Copies of the same have been retained in the files of this office.

Respectfully,

Acting Commissioner.

JS
Incl. 2-20.

Cher 10084

Lester Evans

Trans. from D535

Cher 10084

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I. T., OCTOBER 8th, 1900.

IN THE MATTER OF THE APPLICATION OF Susan Evans for the enrollment of herself, her husband and four children as citizens of the Cherokee Nation, and she being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Susan Evans.
Q What is your age? A Forty.
Q What is your Postoffice? A Centralia.
Q In what district do you live? A Coowescoowee.
Q Who is it you want to have put on the rolls; yourself?
A Yes sir.
Q Your husband? A Yes sir.
Q How many children? A Four.
Q Are you a Cherokee by blood? A Yes sir.
Q Is your husband a Cherokee by blood? A No sir.
Q White man? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q What is the name of your father? A Eph Sitzir.
Q Is he living or dead? A Dead.
Q What is the name of your mother? A Sallie Starr.
Q Is she living or dead? A Dead.
Q When did you marry this husband? A In 1886.
Q Give me the name of your husband? A Lester Evans.
Q Have you a marriage license and certificate? A Yes sir.
The applicant presents an official copy of a Cherokee license, issued by the Clerk of Canadian District, March 15th, 1886, authorizing marriage between Lester Evans and Mrs Susan Jordan: The certificate shows that they were married on the same day, by the Reverend R. C. Parks. This is filed herewith.
Q Has your husband lived with you ever since you and he were married in 1886? A Yes sir.
Q Was your former husband dead when you married him? A Yes sir.
Q Was he ever married before he married you? A No sir.
Q Give me the names of your children? A Myrtle Jordan.
Q How old is that child? A Eighteen.
Q Now, the next child? A Alexander Jordan.
Q How old is that child? A Fifteen.
Q The next child? Vannie Jordan.
Q How old is that child? A She is fifteen; they are twins.
Q Next child? A Minnie Evans.
Q How old is that child? A Twelve.
Q All living now, are they? A Yes sir.
Q Your name was Jordan in 1880? A Yes sir.
Q What was your husband's name then? A Alex Jordan.
Q Have you any middle name? A No sir.
Q You were married to him in 1880, were you? A I do not exactly know.
Q Was your mother dead in 1880? A She died before I can remember
Q Were you ever outside of the Cherokee Nation? A No sir.
(1896 Roll, Page 21, #370, Susan Evans, Canadian District)
Q How is it you are not found on the roll of 1880? A I do not know: I never was outside of the Cherokee Nation in my life.
(1896 Roll, Page 87, #76, Lester Evans, Canadian District)
(1896 Roll, Page 38, #1047, Myrtle Jordan, Canadian District)
(1896 Roll, Page 38, #1048, Alex Jordan, Canadian District)
(1896 Roll, Page 38, #1049, Vanie [illegible])
[illegible]
Q Is there any one here who has known you all your life? A I do not know.

The applicant applies for the enrollment of herself, her husband and four children: She is identified on the roll of 1896, as a native Cherokee: She states that she has lived in the Cherokee

Nation all her life, but she is not identified on the roll of 1880. Her application will be placed upon a doubtful card, awaiting further evidence in regard to her being a native Cherokee, as she states, and the alleged fact of her having lived all her life in the Cherokee Nation.

Her husband is shown to have married her in 1886: They have lived together ever since their marriage: He is identified with her on the roll of 1896: He married her in accordance with Cherokee law. He will be classed as a Cherokee by adoption, and will be placed upon a doubtful card with his wife.

The four children named in the testimony, three by the applicants former husband, are identified on the roll of 1896: They are all living now, and will be placed upon a doubtful card, to await the testimony desired in their mother's case.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before
me this 9th day of October, 1900.

COMMISSIONER.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 5 1900

Acting Chairman

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 5 1900

1 Name Lester Evans — Cuntuia D.

District Canadian — Year 1896 Page 87 No. 76

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Cherokee — Date of marriage 1886,

License — Certificate

2 Wife's name Susan Evans

District Canadian — Year 1896 Page 21 No. 370

Citizen by blood Yes Mother's citizenship Geo. Adair — d

Intermarried citizen No Robbie Starr — d

Married under what law — Date of marriage

License Filed OCT 5 1900 — Certificate Filed OCT 5 1900

Names of Children:

3 Myrtle Jordan Dist. Canadian Year 1896 Page 38 No. 1047 Age 18

4 Alexander " Dist. " Year " Page 38 No. 1048 Age 13

5 Vannie " Dist. Alex Jordan Year " Page 38 No. 1049 Age 15

6 Minnie Evans Dist. Year " Page 21 No. 371 Age 12

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

4 On 1896 Roll as Alex Jordan

5 " " " " Vanie

Marriage license not attached. Proof of nativity of No. 2 and by Jordan lived with the nation all her life to be supplied.

D535

This is to certify that I united Mr Lewis Evans a White man and a citizen of the U.S. and Miss Susan Jordan a Cherokee in the Holy Bonds of matrimony

This March 16th 1886

R C Parks Minister of the Cumberland Presbyterian Church

I hereby certify that the above is a True Copy of the original License and Copy as from the records of the Clerk Office this 23rd day Sept 1896

Geo Jennings Clerk
Cumberland Dist C.N.

D 637

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 5 1900
ACTING CHAIRMAN

Copy

MARRIAGE LICENSE.

CHEROKEE NATION. Canadian DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED--GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr Lister Evans, a citizen of the United States, and Miss Susan Jordan a citizen of the Cherokee Nation and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office this the 13th day of March 1886

John Smith
Clerk Canadian District.

Indian Journal Print

This is to certify that I united Mr Lester Evans a White man and a citizen of the U.S. and Miss Susan Jordan a Cherokee in the Holy Bonds of matrimony

This March 16th 1886

R C Banks Minister of the Cumberland Presbyterian Church

I hereby certify that the above is a True Copy of the original License and Copy as from the records of the Clerk's office this 23rd day Sept 1896

George Jennings Clerk
Canadian Dist C.N.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
OCT 15 1900

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Nowata, I.T. October 16th, 1900.

SUPPLEMENTAL PROCEEDINGS IN THE MATTER OF THE APPLICATION OF LESTER EVANS FOR THE ENROLLMENT OF HIMSELF AND FAMILY. D Card No. 966.

Emily B. Measles, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q What is your name? A Emily B. McAsles.

Q How old are you? A Well, I just lack until the 18th of this month, or the 17th, of being eighty-two years old.

Q What is your post office? A Talala.

Q Do you live in Cooweescoowee District? A Yes, sir; I live down here at Talala.

Q How long have you lived in the Cherokee Nation? A I ain't been in this district long, but I have been in here ever since the year 1834; the spring of 1834 I came to this Nation.

Q Do you know this lady here, Mrs. Susan Evans?

A Yes, sir; I have known here for many years.

Q Have you known her all her life? A Ever since she was a girl I have known her.

Q How old? A I don't know exactly. I can't hardly keep my own age let alone anybody else's.

Q Did you know her father before her? A I knowed her father well, but I wasn't very well acquainted. They lived about ten miles from me and we didn't visit that distance in our country.

Q Have you known her ever since she was a little girl?

A Yes, sir; long before she was married.

Q She has lived in the Cherokee Nation ever since you knew her and ever since she was born? A I reckon so. She was here when I found her.

Q And has been there ever since? A Yes, sir.

Q Was her mother a Cherokee woman? A Yes, sir.

Q What was she, a full blood? A No, I don't think she was. I wasn't well acquainted with her. I was acquainted with her father, what was said to be her father.

Q Well, was her mother a Cherokee? A Yes, sir; she was a Cherokee.

Q But not a full blood? A Well, I don't reckon she was more than a quarter-breed or maybe a half breed.

Q But she was recognized regularly as the wife of this woman's father? A Yes, sir; always ever since I knowed ever heard of her.

Q You think Mrs. Evans was born in the Cherokee Nation?

A I knew she was.

Q And lived here all her life? A Yes, sir; lived here all her life.

Examination by Mr. Joel L. Rauch, Representative of the Cherokee Nation. What was this woman's father's name?

A Euphordair.

Q What was her mother's name? A I don't know her name. I never asked her name. I didn't ask folks their given names. I didn't visit them. The men used to come home, and that is the reason I got acquainted, and he was there many times.

Q You say that you knew this woman. How do you know that she is the daughter of Euphordair? A Well, he never

said she was. Q. I wouldn't swear he was actually her father, but then she was in the same place.

Q. Did this woman's mother and Euphedair live together as man and wife? A. They did until she died, and then he died after while.

Witness excused.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes taken at the time and place, and of the supplemental proceedings, aforesaid.

Subscribed and sworn to before me this 16th day of October A. D. 1900.

Commissioner.

FILED
OCT 16 1900

-R-
Cherokee by blood, D-635.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., September 10, 1901.

In the matter of the application of Lester Evans et al. for enrollment as Cherokee citizens.

Supplementary testimony.

Appearances:
Applicant present in person:
J. L. Keogh, representative of the Cherokee Nation.

MARK EVANS, appearing before the Commission and being duly sworn and examined, testified as follows:

Q What is your name? A Mark Evans.
Q What is your age? A 38 years old.
Q What is your postoffice address? A Evansville, Arkansas.
Q You are a recognized citizen, by blood, of the Cherokee Nation?
A So enrolled.
Q Are you acquainted with Susan Evans, who was an applicant before this Commission at Vinita on the 5th of September, 1901? A Yes, sir.
Q Are you acquainted with the husband of Susan Evans, Lester Evans?
A No, sir, I don't know him.
Q How long have you known Susan Evans? A Ever since she was born.
Q She is a Cherokee by blood? A Her mother was a first cousin of mine and her father was a Cherokee.
Q Do you know whether or not she was enrolled in 1880? A Well the record seems to show that she wasn't.
Q Do you know why she wasn't enrolled at that time? A I don't know; I would like to add a little right there: I am perfectly satisfied that she had continually resided in the Cherokee Nation before and since 1880.
Q About how old is she, Mr. Evans? A She must have been born during the sixties, along '65 or '66.
Q Was she married in 1880? A I think she was.
Q Do you know to whom she was married at that time? A [illegible]
Q What was the name of her husband? A [illegible]
Q Was he a white man or a Cherokee? A He was a Cherokee.
Q Where was he living at that time, in 1880? A I think he was living in Canadian.
Q Was she ever married to any other man besides Evans and [illegible]
A No, sir, I never heard of her having any other husband.
Q Did her Indian parents die before 1880? A No her mother died before 1880, but her father didn't die till after 1880.
Q Did her father remarry after the death of her mother? A Yes, sir.
Q What was her father's name? A Spurlock B. Miller.
By J. L. Keogh: Do you know about when she married Alex Evans?
A Yes.
Q What was that? A I think it was in '80 or '81, along about that time.
Commission: Do you know whether the father and mother of Susan Evans lived together continuously up until the time of the death of Mrs. Evans? A I do, up to the death of Mrs. Evans, the death of Mrs. Adair.
Q They were always recognized as man and wife? A As man and wife, yes sir, for she was a first cousin of mine and he was I [illegible]
[illegible] and was the captain of the company [illegible]
[illegible] the shorter part of the war.

G. L. LYNCH, being duly sworn, testified as follows:
Q What is your name? A G. L. Lynch.
Q What is your age? A [illegible]

Q What is your postoffice address? A Stilwell, Indian Territory.
Q You are a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q Are you acquainted with Susan Evans, the wife of Lester Evans?
A I guess I was before she married, I haven't been acquainted with her since she married him.
Q Was she a daughter of Ephriam Adair? A Yes, sir.
Q Her father and mother were both Cherokees, were they? A Yes, sir.
Q They had always been recognized as citizens of the Nation? A Yes sir.
Q Do you know whether this Susan Evans wasn't enrolled in 1880?
A No, sir, I can't.
Q Do you know where she was living at that time? A No, sir, she married a man named Thornton and moved from our district to Canadian and that is the last time I heard of her; since, she married a man by the name of Evans, I understand.
Q Jordan was a citizen by blood? A Yes, sir, I guess he was, he proved to be; he was a Texas Indian.
Q Do you know whether Susan Evans was born in the Cherokee Nation?
A No, sir, I don't, I don't know whether she was born during the war or before the war, I can't state.
Q As long as you knew her she always made her home in the Cherokee Nation? A Yes, sir, lived with her father until she married.
Q Did you know both her father and mother? A No, sir, didn't know her mother, her mother died before I got acquainted with the family, but I knew the family, well acquainted with her father.
Q Has Susan Evans always been recognized as a citizen, have her rights ever been disputed? A Not that I know of, I never knew her as Susan Evans; she was Susan Adair and then Susan Jordan, and Jordan and then it is my understanding she married an Evans.

****

Bruce G. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce G. Jones

Sworn to and subscribed before me this the 10th of September, 1901.

M. J. Green
Notary Public.

"E"

Cherokee D 535

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 1,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Lester Evans for the enrollment of himself, wife and child and step-children as citizens of the Cherokee Nation.

Appearances:
Applicant in person and applicant's wife, Susan Evans;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 10,1902, that his application for the enrollment of himself, wife and child and step-children as citizens of the Cherokee Nation would be taken up by the Commission for final consideration at its office in Muskogee, Indian Territory on the first day of March,1902; receipt has been acknowledged of the Commission's letter, and the applicant and his attorney wife this day appear to-wit, the 1st day of March, 1902, appear in person.

SUSAN EVANS, being first duly sworn and being examined testified as follows:
BY COMMISSION:
Q What is your name? A Susan Evans.
Q How old are you? A 41.
Q What is your post-office address? A Centralia.
Q Is that your husband?(Pointing to man.) A Yes sir.
Q What is his name? A Lester Evans.
Q You are both applicants before the Commission for the enrollment of yourselves as citizens of the Cherokee Nation? A Yes sir.
Q Is there any statement that you desire to make relative to your enrollment as citizens of the Cherokee Nation? A I don't know.

LESTER EVANS, being first duly sworn and being examinedtestified asfollows:
BY COMMISSION:
Q What is your name? A Lester Evans.
Q How old are you? A 42.
Q What is your post-office address? A Centralia.
Q Is there any statement you desire to make relative to the enrollment of yourself, wife and child and step-child as citizens of the Cherokee Nation? A Why, none I guess.
Q Do you in behalf of your wife and her children and your child submit the case to the Commission for final consideration? A I don't understand it.
Q Do you in behalf of your wife and children submit this case to the Commission for final consideration? A Yes sir.

BY COMMISSION: The applicant and the representative of the Cherokee Nation present submit the case to the Commission, and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

M.D.Green, being first duly sworn, states that he stenographically reported the Commission to the Five Civilized Tribes in correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D.Green

Subscribed and sworn to before me this March 4,1902.

[signature]

IN RE

Application for Enrollment of

INFANT CHILD

Lena Sanders

as a citizen of

Choctaw Nation

Approved

T. L. Rennie

Roll

Read 8/28 Field Sanders decision

DEPT. INTERIOR OFFICE OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 31 1906

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Lena Sanders, born on the 24 day of June, 1902.
(Here insert name of child.)
Name of Father: Neal Sanders a citizen of the Cherokee Nation.
Name of Mother: Myrtle Jordon a citizen of the Cherokee Nation.
My Present Post-office is Tulsa I.T.
My Post Office when I was enrolled was Centralia I.T.

AFFIDAVIT OF MOTHER.

My Brothers Name was Sue Jordon
My Fathers Neal Jordon

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Northern District.

I, Myrtle Jordon, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of ~~_____~~, who is a citizen, by ~~_____~~, of the ~~_____~~ Nation; that a Female child was born to me on 24 day of June, 1902; that said child has been named Lena Sanders, and is now living.

Myrtle Jordon

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 day of August, 1902.

John E. Dunlap
NOTARY PUBLIC.

My Commission expires July 11 1906

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Ira Mendenhall, a Physician, on oath state that I attended on Mrs. Myrtle Jordon, wife of ~~_____~~ on the 24 day of June, 1902; that there was born to her on said date a Female (male or female.) child; that said child is now living and is said to have been named Lena Sanders.

Ira Mendenhall M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 day of August, 1902.

John E. Dunlap
NOTARY PUBLIC.

My Commission expires July 11 1906

Cher -
Supp'l to # D 535

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 20, 1902.

In the matter of the application of LESTER EVANS, for the enrollment of himself as a citizen by intermarriage, and his wife, SUSAN EVANS, his step-children, MYRTLE, ALEXANDER and VANNIE JORDAN, his daughter, MINNIE EVANS, and his step-granddaughter, LENA SANDERS, as citizens by blood of the Cherokee Nation:

LESTER EVANS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Lester Evans.
Q What is your age ? A Forty two.
Q What is your post office address ? A Centralia.
Q Are you the same Lester Evans that applied for enrollment as an intermarried citizen in October, 1900 ? A Yes sir.
Q What is your wife's name ? A Susan.
Q Is she living ? A Yes sir.
Q Is she a Cherokee by blood ? A Yes sir.
Q When were you married to your wife Susan ? A In 1886.
Q Had you ever been married before your marriage to Susan ?
A No sir.
Q Had she ever been married before her marriage to you ?
A Yes sir.
Q How many times had she been married before ? A Once.
Q What was her first husband's name ? A Jordan.
Q Was he living or dead when you married her ? A Dead.
Q Have you and she lived together ever since your marriage up to the present time ? A Yes sir.
Q Never been separated ? A No sir.
Q Living together as husband and wife on the first day of September, 1902 ? A Yes sir.
Q How long have you lived in the Cherokee Nation ?
A I have lived here nineteen years.
Q Have you lived all the time for the last nineteen years in the Cherokee Nation ? A Yes sir.
Q Has your wife lived with you in the Cherokee Nation since that time ? A Since we were married.
Q Lived here together all the time since you and her were married ?
A Yes sir. She was born and raised here.
Q Who are these children, Myrtle, Alexander and Vannie Jordan ?
A They are my step-children.
Q Your wife's children by her first husband ? A Yes sir.
Q Are they all three living ? A N No sir, Alexander is dead.
Q When did Alexander die ? A He died last January.
Q Are the other two living ? A Yes sir.
Q Have they lived in the Cherokee Nation all the time ?
A Yes sir.
Q Is Minnie Evans your child by your wife Susan ? A Yes sir
Q Is she still living ? A Yes sir.
Q Has she lived in the Cherokee Nation all her life ?
A Yes sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this November 24, 1902.

B. O. Jones
Notary Public.

#336

Cherokee D-535.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Susan Evans, Myrtle, Alexander and Vannie Jordan, Minnie Evans and Lena Sanders as citizens by blood, and for the enrollment of Lester Evans as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The evidence in this case shows that on October 5, 1900, Susan Evans appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of herself and her minor children, Myrtle, Alexander and Vannie Jordan and Minnie Evans as citizens by blood, and for the enrollment of her husband, Lester Evans, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Nowata, Indian Territory, on October 16, 1900; at Fort Gibson, Indian Territory, on September 10, 1901, and at Muskogee, Indian Territory, on March 1, and October 20, 1902. On October 20, 1902, there was filed with this Commission an affidavit of death wherein it is shown that Alexander Jordan died in January, 1902; there was also filed with this Commission an affidavit of birth wherein it is shown that a minor child, Lena Sanders, was born on June 24, 1902, to Myrtle Jordan.

The evidence shows that Lester Evans was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on March 16, 1886, to Susan Jordan. Susan Evans (formerly Jordan), is identified on the Cherokee authenticated roll of 1880 and the strip payment roll of 1894 as a native Cherokee. Myrtle, Alexander and Vannie Jordan, and Minnie Evans are identified on the Cherokee strip payment roll of 1894 and the Cherokee census roll of 1896. Lester Evans is identified on the Cherokee census roll of 1896. Lena Sanders is identified by a certificate of birth, made a part of the record herein. It is further shown that Alexander Jordan died in January, 1902, and is evidenced by an affidavit of death, made a part of the record herein.

The evidence further shows that Susan Evans has lived in the Cherokee Nation all her life and that her husband, Lester Evans, has lived with her in said nation since the date of his marriage to her, up to and including September 1, 1902. The minor children applicants herein have resided all their lives in the Cherokee Nation.

It is, therefore, the opinion of this Commission that Susan Evans, Myrtle Jordan, Vannie Jordan, Minnie Evans and Lena Sanders, should be enrolled as citizens by blood, and that Lester Evans should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of

Congress approved June 10, 1898 (30 Stats., 495), and it is so ordered.

It is further ordered by this Commission that the application for the enrollment of Alexander Jordan as a citizen by blood of the Cherokee Nation, be, and the same is, hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDITIONAL CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, February 20, 1905.

In the matter of the allotment of land to Susan Evans and her minor daughter Minnie Evans, Cherokee card 10084, Approved Roll Nos. 25[illegible]0, 2[illegible].

Leslie Evans, husband and father and intermarried applicant being sworn, testified as follows:

Examination by the Commission:

Q What is your name? A Leslie Evans.
Q How old are you? A 45
Q What is the name of your father? A Benona Evans
Q The name of your mother? A Mary Evans.
Q Are you an applicant for intermarried rights in the Cherokee Nation? A Yes sir.
Q What is the name of your wife? A Susan Evans.
Q What is the name of her father? A Her father? Eph Adair.
Q The name of her mother? A Sallie Adair.
Q Give the name of your minor children or child? A Minnie Evans.
Q What is your object in appearing at the Land Office today?
Q To give testimony and designate lands for my wife and child.
Q Are there any improvements on the lands you desire to be allotted to your wife and child? A Yes sir.
Q Is it your home place? A Yes sir.
Q Do they reside on said land? A Yes sir.
Q Is this the first time you have appeared to designate lands for them? A Yes sir.
Q Are you prepared to designate two allotments today? A Yes sir.
Q Have you written authority from your wife to make these designations? A Yes.

Applicant offers Power of Attorney executed by Susan Evans February 13, 1905, wherein Leslie Evans is appointed her attorney in fact to make application for lands for herself and child, Minnie Evans.

Q State the reasons why your wife does not appear and make personal selection? A Sick.
Q Have you a physician's certificate to that effect? A Yes sir.

Applicant offers certificate signed by W. F. Snodgrass, Md to the effect that Susan Evans is sick and unable to make a trip to the Land Office.

WITNESS EXCUSED.

[illegible] upon oath states that he stenographer to the Commission to the Five Civilized Tribes who accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this the 20th day of February, 1905.

Notary Public.

FILED
FEB 28 1975
COMMISSION TRADE SECRETS

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	253	William H. Burrow	907

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2040
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Lewis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2670
Millard F. Eggleston	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Lawrence	2950
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Elsie O'Field	2977
Margaret Seagoe	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Dougherty	3030
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallemon	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryno	3193
Ellen Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Birthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Jonathan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Mirajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3980
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4068
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Minnie Brewer	4190

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	**4304**
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	**4569**
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Ware	4632
Frederick Maurice	4633
John C. Ramsdale	4634
Pigeon L. Jones	4641
Ada Reinhoff	4642
Alice Robbins	4644
Jane Youngheim	4649
Samuel Frazier	4650
Clemson C. Peck	**4652**
Mont C. Frazier	**4653**
Frank J. Matthews	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Vinson	4669
Elizabeth E. Burgess	4671
Lethe Anne Brewster	4673
James M. Bailey	4676
Frances A. Nelson	4681
John J. Smith	4689
Rufus A. Stewart	4691
John J. Hawkins	4694
Maggie O. Wade	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. Wade	4707
Mattie F. Hall	4709
Alice A. Rose	4772
Katie Cooper	4785
John Green	4901
Ruby R. Bean	4904
William J. Dotson	4936
Blackburn Reed	**4962**
Viola Leather	**4988**
William B. Ritchson	4910
Henry D. McDonald	4950
Stella McDonald	4956
Dorothy Rattenbury	4991
Ida Wade	5003
Henry W. Lee	5100
Olive J. Waldron	5101
Nancy Mayes	5137
Ella Sullivan	5140
Winchester Williams	5144
Homer M. Smith	5145
Max Humphrey	5207
Jennie Burgess	5226

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	**5399**
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Dasey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	**5640**
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5796
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5829

Horace H Huddlestun	5832
William R Sartain	5837
Joseph A Lawrence	5843
William H Hunter	5846
Joseph Lehr	5851
Finn M Young	5852
Mary C Barnes	5853
Matilda Thompson	5861
William W Young	5872
Farley F Ellis	5874
Rosa B Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H Merchant	5888
John D Merchant	5889
Sarah E Glenndin	5894
Jerry Young	5896
James H Brocken	5916
Mary Hicks	5919
George W Weems	5922
Albert Crain	5923
James M Jones	5932
Alfred W Shelly	5935
John M Stratton	5936
Waddie Hudson	5937
Robert C Johnson	5939
Mary T Thompson	5941
Edith A Parris	5943
Addie Hubbard	5949
John A Leary	5952
John R W Brantley	5953
James T Carroll	5964
Christopher F Jordan	5965
Minerva E Stover	5966
John W Tuttle	5967
Joseph W Mosmer	5970
Carmelite P Potter	5971
Amanda C Thompson	5972
John M Rock	5976
Harrison L Hughes	5978
Silas B Baldwin	5983
Lewis M Payne	5985
Nancy Beamer	5988
Sarah F Selvidge	6002
Pary F Buckner	6005
John A Moreland	6010
Alice Welch	6015
Mary C Thompson	6022
Ida Burk	6029
William R Tuttle	6030
George C Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G Langley	6038
John T Ham	6042
Mary L Jordan	6048
John W Bradshaw	6076
James L Dean	6079
Amanda J Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D Ryals	6113
John C DeLozier	6117
Jessie Willis	6118
Mary A Clark	6124
Mary J Tipton	6126
Leander Newton	6136
William A Qualls	6138
Henderson B Thomas	6144
Hugh T Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E Shaw	6194
Julia Keys	6211
Rosa J Grey	6214
John Grubb	6216
William M Costephens	6230
Jane Bean	6232
Lillie I Taylor	6236
Abbie B Adair	6239
Mack C Watkins	6246
Robert W Murray	6261
John G Petty	6269
Lucinda Pourboy	6279
Sarah Mayes	6286
Henry W Pyeatt	6289
Isaac A Wilson	6306
John T Hall	6310
Edward L King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R Miller	6362
James Brackett	6370
Nora Allen	6371
John T Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6490
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usarey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Posa Phillips	6632
Lois E. Daniel	6678
William W. Turner	6680
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6761
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7076
Katie E. Ratley	7089
Etta Patrick	7091
Nannie Martin	7099
Rosa B. Harris	7104
Samuel Brown	7109
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary E Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie E McClure	7171
Benjamin B Graham	7176
Ada Phariss	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James L Goad	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Kiasay Sapeucker	7378
Sarah J Johnson	7394
William I Branan	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Bertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy I Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
William M Wilson	9444
David O Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
John G Ainsworth	9456
Mary J Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P Mulkey	9465
Andrew Brimmer	9467
James F Flippin	9471
William Bird	9473
Mollie C Forbes	9476
William H Thomason	9478
Mollie Devine	9481
Mary P Guthrie	9482
Detlev N Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A Wiltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
Hello Bryant	9542

Joseph P Smith	[illegible]
George E Watkins	[illegible]
Florence Henry	[illegible]
Jesse H Johnson	[illegible]
Lydia B Barger	[illegible]
Mary Jane Thomas	[illegible]
James F Petty	[illegible]
Laura McCrary	[illegible]
Joel D Smith	[illegible]
William T Cave	[illegible]
William Bugher	[illegible]
James M Smith	[illegible]
John E Nasworthy	[illegible]
Beverly L Lafon	[illegible]
Robert L Gentry	[illegible]
John C Barker	[illegible]
John P Greenwood	[illegible]
Henry Hayes	[illegible]
Ella Cornwell	[illegible]
Asa A Hedrick	[illegible]
William C M Robinson	[illegible]
Woodrow Hadley	[illegible]
William T Gregory	[illegible]
Charles M Keys	[illegible]
Kate O Reed	[illegible]
Joseph E Feland	[illegible]
Florence C Smith	[illegible]
Charles M Cox	[illegible]
Otis S Skidmore	[illegible]
William H Hundley	[illegible]
Thomas A McDonald	[illegible]
Annie Sanders	[illegible]
Mack H Martin	[illegible]
Mary Ward	[illegible]
George Givens	[illegible]
Phaney Feathey	[illegible]
Charley Kiger	[illegible]
Andrew J Snider	[illegible]
William T Barton	[illegible]
Daniel Crail	[illegible]
Mary M Motte	[illegible]
Leona E Herrin	[illegible]
Guiles E Carrick	[illegible]
Rena B Barger	[illegible]
Rachel Foreman	[illegible]
Sampson C Willis	[illegible]
Virgie Seabolt	[illegible]
Annie Cannon	[illegible]
Isabella McCoy	[illegible]
Robert E Ivy	[illegible]
William G Brown	[illegible]
John B Deere	[illegible]
Pauline Thompson	[illegible]
Constance W Werther	[illegible]
Margaret Cottenoire	[illegible]
Mary L Harris	[illegible]
Sarah E Rogers	[illegible]
Josephine Duncan	[illegible]
Colleen D Slaeger	[illegible]
William A Wheatin	[illegible]
John H Sherman	[illegible]
Elmer L Rogers	[illegible]
William Smith	[illegible]
George W Edens	[illegible]
William H Hail	[illegible]
Robert B Pierpoint	[illegible]
Carrie A Collins	[illegible]
Lawrence Springer	[illegible]
Ella J Hall	[illegible]
John W Harris	[illegible]
Shannon Roper	[illegible]
Dana J Cosgrove	[illegible]
Vesta J Weathersby	[illegible]
Lennie J Baxter	[illegible]
William W Evans	[illegible]
William J Pierce	[illegible]
Ella N Chambers	[illegible]
Albert Stevenson	[illegible]
Elmer Keeler	[illegible]
Sarah Bass	[illegible]
Jesse W Cox	[illegible]
Jerome E Blair	[illegible]
Ellen Keele	[illegible]
Ida Cochran	[illegible]
James W Fleming	[illegible]
Samuel Bolton	[illegible]
Walter H Taylor	[illegible]
Russell J Miller	[illegible]
Claude V Ward	[illegible]
Stephen W Thompson	[illegible]
Mary E Patterson	[illegible]
William T Burns	[illegible]
Tyler Poole	[illegible]
Sarah A Burns	[illegible]
Willard E Henderson	[illegible]
Jane Talbert	[illegible]
John E Jones	[illegible]
Alexander E Bland	[illegible]
Henry J Rogers	[illegible]
Susan Rogers	[illegible]

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10134
Richard A. Clark	10136
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10126
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10188
Annie Winton	10187
Marian Evans	10185
Elizabeth J. McClain	10192
Eliza J. Price	10190
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10205
Flora A. Terrill	10204
Talesphora A. Parades	10206
Samuel Shadix	10196
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

[illegible]	10210	
Sarah A. Fields	10214	
Alice Henderson	10216	
Charles H. Rutherford	10218	
William H. Watkins	10221	
Frank M. Barber	10222	
Harry C. Reed	10224	
Lewis B. Timberlake	10226	
George A. Brown	10228	
Drusilla Lowrey	10232	
Minnie Moore	D 9	
Lenora Pugsley	D 16	
Sumner M. Cooley	D 17	
Martin L. Stokes	D 28	
Peter Walters	D 44	
Columbus M. Reeves	D 58	
Sarah Barnes	D 103	
George T. Kuddy	D 108	
Henry C. Agnew	D 139	
Joseph Phipps	D 147	
Henry Hilton	D 149	
David A. McGlamery	D 161	
Maggie Doubleheard	D 160	
Annie Lovett	D 180	
Nora Hood	D 184	
John A. Johnson	D 232	
Nathaniel G. Simpson	D 242	
Orrice W. Hood	D 244	
Etta Taylor	D 245	
Simon V. Sullivan	D 262	
Levi H. Yarbett	D 263	
William H. Connelley	D 264	
John A. Sullivan	D 284	
Mary Fields	D 287	
Elvie Hemmingford	D 288	
William F. Boger	D 320	
Lovick P. Cravens	D 334	
Henry Grubb	D 338	
Lucy F. Lacey	D 340	
Callie Havens	D 341	
James S. Alsey	D 356	
Shadrack C. Wallis	D 368	
Ada Hall	D 376	
Jane M. Hicks	D 396	
Frances L. Depew	D 400	
Willis Bentley, Jr.	D 404	
Andrew W. Ellis	D 413	
Mary B. Cross	D 420	
John M. Robinson	D 430	
Henry S. Thompson	D 434	
Joseph Reed	D 468	
Adolphus J. Hallum	D 483	
Alexander Walker	D 490	
Albert J. High	D 491	
America Matoy	D 501	
Moses L. Grazier	D 503	
Myrtle Hall	D 509	
Wallace Thursday	D 544	
Thomas W. Baker	D 546	
Mattie E. Keys	D 550	
William S. Edwards	D 560	
Susan L. Reed	D 572	
William H. Lyman	D 574	
Gracia Davis	D 577	
Edward C. Bolen	D 582	
Dora Guthrie	D 585	
Samuel H. Hawkins	D 594	
Lula M. Purcell	D 600	
Ben Estes	D 603	
Thomas M. Reynolds	D 621	
Arthur Dodge	D 622	
Carrie L. McNair	D 624	
Constantine N. Walker	D 641	
Joseph Davis	D 648	
Leander A. Keys	D 650	
James J. Barndollar	D 655	
Nathan J. Brink	D 682	
William S. Miles	D 688	
Emma Waybourn	D 698	
Dora E. Rogers	D 708	
James W. Turley	D 709	
Lizzie Ward	D 711	
Robert J. Holly	D 713	
Belle I. Quinton	D 728	
Francis M. Boothe	D 734	
Amos W. Lord	D 746	
Agnes N. Childers	D 749	
John E. Renfrow	D 752	
William Coon	D 759	
Lonie Bruere	D 779	
Georgia A. Waybourn	D 786	
Elkin Fields	D 787	
William H. Brown	D 788	
William A. Cox	D 793	
Charles A. Robison	D 799	
Archie Williams	D 800	
Adam Gearhart	D 804	
Cleero F. Rogers	D 855	
Annie Garrett	D 856	
George B. Yarborough	D 875	

Rhoda A Sanders	D	979	Ella Vann	D	1320
Manuel Spencer	D	984	Lannie Wofford	D	1330
Benjamin H Ruthem	D	994	Minnie Downing	D	1332
Mary Brumfield	D	995	Katie Rader	D	1334
James L. Tindle	D	944	Samuel G Mills	D	1337
Silas G Remerlin	D	966	Alfred H Woods	D	1342
Elias Watford	D	967	Cynthia Whitekiller	D	1352
Jasper L. Newton	D	971	Susie McSpadden	D	1361
John N. Gunn	D	974	Martha J Houston	D	1363
Hannah Parson	D	989	Samuel M Collier	D	1367
Nellie C. Hetherington	D	1003	Katy Payne	D	1369
Thomas J Wellth, Jr	D	1006	Joseph H Warren	D	1375
Lizzie Christian	D	1009	Mattie Miller	D	1433
George Hazlewood	D	1013	S F Moore	D	1434
James M Jones	D	1022	Addie Schramsher	D	1448
Reuben A Evans	D	1032	Fannie Vann	D	1458
Carrie H Cobb	D	1049	Marcella Blakeney	D	1474
John M. Burns	D	1060	G W Williamson	D	1555
Sarah E. Benson	D	1083	C F Walker	D	1558
Laura D Benson	D	1086	Lousa Blevins	D	1567
Hettie E. Downing	D	1090	Frank Cowles	D	1581
Benjamin J Cram	D	1099	Mary Frances Madding	D	1637
Benjamin Stricklin	D	1129	Thomas Redman	D	1661
Nancy Spainard	D	1130	Katie Still	D	1866
Annie Wilson	D	1134	Ira Creach	D	1913
Ora H Maxwell	D	1135	D A Moore	D	1967
Reulsen W Moore	D	1136	J C Sutton	D	1991
Cora Childs	D	1140	Jennie Holland	D	2024
Janie Hughes	D	1179	Lou Sanders	D	2216
Francis B Reed	D	1180	Caroline Barnes	D	2591
Martha Carey	D	1196	Lacey Crane	D	2592
Christina Johnson	D	1199	Daisy Cash	D	2595
Louvenia Dremaide	D	1208	Hiram A Lanclers	D	2599
Martha J Benson	D	1218	Charles Neel	D	2603
David A Warren	D	1228	Mattie Robinson	D	2605
Fred D McEnery	D	1235	Jennie Rich	D	2606
Nathaniel R Warren	D	1264	Alexander C Russell	D	2607
James H Regan	D	1266	Priscilla Rose	D	2608
Frank Carver	D	1267	Tom W Reeves	D	2609
Etta B Payne	D	1270	Mary Smart	D	2612
Mary Garrett	D	1271	Rufus Talmore	D	2613
Jos W Goodman	D	1272	Jasper Turner	D	2614
Mathew J Flanigan	D	1274	Mabel West	D	2618
Lonnie C Holland	D	1285	Ophelia West	D	2619
Ella Downing	D	1294	Cora Wilson	D	2620
William Caywood	D	1298	Katy Martin	D	2687
Clarence W Turner	D	1307	Willie Baker	D	2686
Alfred Chance	D	1313	Claud Barger	D	2687
Euphemia Summerlee	D	1314	Dixie Conner	D	2688
Ella Russell	D	1319	John Colwell	D	2689

Herbert F. Couch	D	2700	Samuel A. Parkhurst	D	2831
Albert C. Dykes	D	2703	Ellen Rogers	D	2832
Delora Drew	D	2704	Elijah Rolland	D	2837
Frank F. Danderson	D	2705	Endora Steele	D	2838
James Gafford	D	2708	William M. Stucker	D	2839
Anna L. Harlin	D	2715	Sallie Tauuneacie	D	2831
William R. Lipsey	D	2717	Mary Tassle	D	2832
Bertha Landrum	D	2718	John F. Wolf	D	2835
Lila More	D	2722	Ruth A. Ward	D	2840
John D. Mathews	D	2723	Winnie Daugherty	D	2884
Mary McIntosh	D	2725	Mary Guthrie	D	2885
Bertha Nidiffer	D	2730	Lydia Long	D	2886
Richard Nichols	D	2731	Edda Roberts	D	2887
William S. Ross	D	2738	Manda Ward	D	2889
Irene Riley	D	2739	Elmira J. Alberty	D	2905
William H. Rowley	D	2740	Thomas C. Cordray	D	2906
Colombus C. Scroggins	D	2741	Edward Fowler	D	2907
Della Summers	D	2743	Dora Foreman	D	2908
William S. Sage	D	2744	Parker Holt	D	2909
Eliza Thomas	D	2748	John Haston	D	2910
John P. Thurman	D	2749	Georgie Harlin	D	2911
Mary E Davis	D	2770	Percillia Johnson	D	2913
Jessie Frick	D	2774	Bettie Morton	D	2915
Enna Buffington	D	2788	Samantha Spade	D	2917
Will Black	D	2789	Mariah Ward	D	2918
Maggie E Davis	D	2792	Ellen Watt	D	2919
Thomas Dotts	D	2793	Nora Morten	D	2920
William Daws	D	2794	Lizzie Anderson	D	2981
Nancy Dawson	D	2796	Francis Duval	D	2984
Lena Fields	D	2797	Wade S. Hayes	D	2987
Effie Grayham	D	2798	James A. Hankins	D	2988
Alice C. Hill	D	2799	Joseph Hardee	D	2991
Bertha H. Harlin	D	2800	Tennie Horn	D	2992
Margrett C. Hudson	D	2801	Eveline Hall	D	2993
Joseph A. Kelley	D	2803	John E. Leftwich	D	2995
Andrew O Kepler	D	2804	Mattie Henson	D	2994
Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shanks	D	3000
John A McKenzie	D	2808	Nettie Young	D	3000
Ione McGee	D	2809	Jerry P Ables	D	3046
Ollie Miller	D	2810	Almedie Ross	D	3062
William A Martin	D	2811	John S J Fowler	D	3064
Jesse P Morrow	D	2812	Leaner Hood	D	3066
Oliver Mason	D	2813	James D Jackson	D	3067
Edna Whitehead	D	2814	Emma G Nelson	D	3068
Charley Nuckolls	D	2815	Alice Simco	D	3069
Etta M Nidiffer	D	2817	George O Wallace	D	3070
Lonizer Oscewee	D	2818	Fannie Clay	D	3078
William H Patterson	D	2820	Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miser	R	286
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	430
Lizzie Pharies	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Bingo	R	488
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	635
Mamie Thompson	R	4	Andrew Sitzell	R	642
Jimmie G. Thompson	R	5	John Sitzell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Roseana McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	883

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 128, 129, 137 and 138, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 12, 1902.

Mrs. Susan Evans,

Centralia, Indian Territory,

Madam:-

You are hereby notified that the application of yourself, your husband and four minor children for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the first day of March, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-535
Register.

Yours truly,

Commissioner in Charge

D535

FILE

COPY

Cherokee D-635.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Susan Evans for the enrollment of herself and her four minor children, Myrtle and Vennie Jordan, Minnie Evans, and Lena Sanders, as citizens by blood, and for the enrollment of her husband, Lesber Evans, as a citizen by intermarriage of the Cherokee Nation, and dismissing her application for the enrollment of her minor child, Alexander Jordan, as a citizen by blood of said Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final. Respectfully,

Tams Bixby.

Acting Chairman.

Enc. 2-13.

Copy

Muskogee, Indian Territory, February 3, 1906.

Susan Byrne,

Centralia, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1906, granting your application for the enrollment of yourself, your three minor children, Myrtle and Vannie Jordan and Blanche Byrne, and your grandchild, Lena Sanders, as citizens by blood, and for the enrollment of your husband, Lester Byrne, as a citizen by intermarriage of the Cherokee Nation, and dismissing your application for the enrollment of your minor child, Alexander Jordan.

Respectfully,

Acting Chairman.

Enc. K-190

Register.

COPY.

Chandler--10036.

Muskogee, Indian Territory, March 6, 1905.

Robert Thompson,
Centralia, Indian Territory.

Dear Sir:

There is herewith inclosed the original marriage license and certificate showing the marriage of yourself to Miss Myrtle Jordan of Centralia, Indian Territory, on November 21, 1903, copies thereof having been retained in the General office of the Commissioner.

Respectfully,

C. R. Breckinridge.
Commissioner in Charge.

Enc. 1-pc.

Muskogee, Indian Territory, January 16, 1907.

Lester Evans,

Centralia, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Evans. B

Commissioner.

[illegible]

[illegible], Indian Territory, March 12, 1907.

Lester Evans,

Tahlequah, Indian Territory.

Dear Sir:

You are notified that the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 31, 1907.

[illegible],

[illegible].

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Yates, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.6-100
MM

Commissioner.

Cher 10085
Ellen Mayfield

Trans. from D637

Cher 10085

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I.T., OCTOBER 18th, 1900.

IN THE MATTER OF THE APPLICATION for Michael F. Mayfield for the enrollment of himself, his wife and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Michael F. Mayfield.
Q How old are you? A Fifty.
Q What is your Postoffice? A Lenapah.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By blood.
Q What degree of blood? A One sixteenth.
Q For whom do you apply for enrollment? A Myself, wife and two children.
Q What is the name of your wife? A Ellen Mayfield.
Q Is she a citizen by blood? A No sir; she is a white woman.
Q Have you a certificate of marriage to her? A Yes sir;

The applicant presents a certificate of marriage, certifying that he was married to one, Miss Ellen Hamman, on the 27th day of May, 1892.

Q What are the names of your children? A Thomas N. Mayfield.
Q How old is he? A He is sixteen years old.
Q What is the name of the next one? A Wattie Mayfield.
Q How old is Wattie? A He is elven years old.
Q What is the name of the next child? A That is all of them, with me.
Q Who is the mother of Thomas N. Mayfield; your wife, Ellen?
A No sir; Lizzie Sanders that was: She is dead.
Q You were married before you were married to Ellen Hamman?
A Yes sir.
Q To whom? A Lizzie Sanders.
Q A Cherokee citizen by blood? A Yes sir.
Q Is she living? A No sir.
Q Did she die before you married Ella Hamman? A Yes sir.
Q Is Ella Hamman your second wife? A No sir; third wife.
Q Was your present wife ever married before she married you?
A No sir.
Q Your wife previous to the one before Ellen Hamman died before you married Ellen? A Yes sir.
Q You lived with her until her death? A Yes sir.
Q Are these two children living and living with you? A Yes sir. Thomas is: Wattie is with his mother in the Osage country.

Q What is his mother's name? A Emma Harlow.
Q Was she your first wife? A No sir; second.
Q Was she a white woman? A Yes sir.
Q Have you any proof of marriage to Emma Harlow? A No sir; none here.
Q Who was the mother of Thomas N. Mayfield? A Lizzie Sanders.
Q She was a Cherokee by blood, was she? A Yes sir.
Q Was she your first wife? A Yes sir.
Q What is your second wife's name? A Emma Harlow.
Q Is she living? A Yes sir.
Q Are you divorced from her? A Yes sir.
Q Have you a certificate of divorce? A No sir.
Q Have you any children by her? A One; Wattie.
Q She is a white woman? A Yes sir.
Q You have no certificate of marriage, or certificate of divorce as to her? A No sir.
Q You have no children by your first wife? A No sir.

(1880 Roll, Page 782, #1406, Mike Mayfield, Tahlequah D'st)
(1896 Roll, Page 1212, #[illegible], Michael F. Mayfield, Tahlequah Dst
(1896 Roll, Page 1366, #[illegible], Ellen Mayfield, Tahlequah D'st)
(1896 Roll, Page 1212, #[illegible], Thomas N. Mayfield, Tahlequah Dst)
(1896 Roll, Page 1212, #[illegible], Wattie [illegible] Tahlequah D'st)

(1896 Roll, Page 1212, #2226, Watie Mayfield, Tahlequah D'st)
Q You have no certificate of marriage, or proof of marriage to your second wife? A No sir; none here.
Q You say you were divorced from her? A Yes sir.
Q You have no certificate of divorce? A No sir.
Q Have you always lived here in the Cherokee Nation? A Yes sir.
Q Do you live here now? A Yes sir.
Q Did you ever remove to the State of Oklahoma? A No sir; I never did move: I went out there in Oklahoma and stayed quite a while, but all my household plunder and everything was here at home all the time.
Q Did you take your family with you? A I took my wife: My children were here in school.

By Mr. Joel L. Baugh, Cherokee Representative:
Q Did you take an allotment in the Cherokee outlet country?
A No sir., I held down eighty acres of land: They allowed me eight acres of land in lieu of my money.
Q Which provision of that agreement of 1891 did you come under: Those that were living in the Cherokee Nation, or those that were living in the Cherokee outlet country? A All of those that had claims out there for farming purposes were allowed this land.
Q Which one of those classes did you come under: Those that were residents in the Cherokee Nation, or those that were residents in Oklahoma? A Those that were residents in the Cherokee Nation.

By the Commission:
The name of Michial F. Mayfield appears upon the authenticated roll of 1880: He avers that he was married to one, Lizzie Sanders, as his first wife, a Cherokee citizen by blood, she being now deceased: He avers that he afterwards married one, Emma Harlow, a white person, but presents no proof of marriage: He avers also that he was divorced from his wife, Emma Harlow, and afterwards married a non citizen, by the name of Ella Hamman, and he presents satisfactory proof of marriage to her: He avers that he has two children, one named Thomas N. Mayfield, by his first wife, Lizzie Sanders, also a Cherokee citizen by blood; and one named Waitie Mayfield by his second wife, Emma Harlow, who was a non citizen.
The name of his last wife, Ellen Mayfield, is found upon the census roll of 1896; also the names of his two children, Thomas N. and Waitie. Satisfactory proof being made as to his residence, and he being duly identified, the said applicant, Michial F. Mayfield, and his son, Thomas N. Mayfield will be duly listed for enrollment as Cherokee citizens by blood.
Because of the fact that no certificate of marriage is presented, or proof of marriage made as to his marriage to his second wife, Emma Harlow, and no proof of divorce presented between himself and the said Emma Harlow; he averring that he is now divorced from her; and the further fact that his child, Waitie Mayfield is not a resident of the Cherokee Nation, final judgment as to the enrollment of his son, Waitie, as a Cherokee citizen by blood, and his wife, Ellen, as a Cherokee citizen by intermarriage, will be suspended, and their names will be placed on a doubtful card, awaiting proof of his marriage to his wife, Emma Harlow, and proof of divorce from his said wife, Emma Harlow, before his marriage to his last wife, Ellen Hamman Mayfield.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 19th day of October, 1900.

COMMISSIONER.

p 37 DEPARTMENT OF THE INTERIOR 03
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 18 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 18 1900 1900.

Name Lemuel J.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Ellen Mayfield

District TAHLEQUAH Year 1896 Page 12 85 No. 187

Citizen by blood no Mother's citizenship

Intermarried citizen yes

Married under what law Date of marriage

License Certificate

Names of Children:

Marie Mayfield	Dist. TAHLEQUAH.	Year 1896	Page 12 12	No. 2226	Age 11
	Dist.	Year	Page 12 12	No. 2226	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Certificate of marriage and decree of divorce between Michael Mayfield and his second wife Emma Mayfield nee Hardo to be supplied

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 18 1900
ACTING COMMISSIONER

FILED

No. 934

MARRIAGE LICENSE

United States of America,
INDIAN TERRITORY,
First Judicial Division. } ss.

To Any Person Authorized by Law to Solemnize Marriage Greeting:

You are Hereby Commanded to solemnize the Rite and publish the Banns of Matrimony between Michael Mayfield of Tahlequah in the First Division Cherokee aged 39 years, and Mrs Ellen Hummari of Tahlequah in the Indian Territory aged 23 years according to law, and do you officially sign and return this License to the parties thereto named.

Witness my hand and Official Seal, this 27 day of May A. D. 1902

Clerk of the U. S. Court.

By W Fleming Deputy.

Certificate of Marriage

United States of America,
INDIAN TERRITORY,
First Judicial Division. } ss.

I, Page Pochal
Inter State Cor

Do Hereby Certify, that on the 27 day of May A. D. 1902 I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 27th day of May A. D. 1902

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, First Judicial Division, Book ____ Page ____

Page Pochal
Inter State Cor
Organized Firm Baptist
First Baptist Church

NOTE—This License and Certificate of Marriage must be returned to the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable to a penalty of One Hundred Dollars ($100).

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DEC 17 1900

This is to certify that I solemnized the rites of matrimony between Michael F. Maxfield a citizen of the Cherokee Nation by blood & Miss Emma Hazle a citizen of the United States on the 12th day of November 1889

S. M. Cocker. M. G.

Subscribed and sworn to before me this 17 day of December 1900

Commissioner.



Executive Department,

CHEROKEE NATION

Tahlequah, I. T. ..... 190 ....

Mike Mayfield, Warner.

vs.

Emma Mayfield, for Divorce. Guardy.

Judgement confessed by Defendant with the plaintiff obligating himself to support the Defendant, Willie Bell, her child in the sum of Seventy (70.00) Five Dollars annually, to be paid in equally quarterly installments, so long as said defendant remains a single life, and to continue the support of the child until it becomes of age. Sept. Term 1900.

Executive Office Cherokee Nation,

Tahlequah I.T.

I, B.W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the above is a true copy taken from the Docet for the Circuit Court for Tahlequah District Cherokee Nation, for the September Term of said Court 1900; that said Docet has been filed in this office by law and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 24th day of November 1900. B. W. Alberty

Assistant Executive secretary,

Cherokee Nation.

P 637

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...SSION TO ...

FILED
DEC 17 1900

ACTING CHAIRMAN

RESIDENCE: [illegible]

POST OFFICE: [illegible]

CHEROKEE Nation. CHEROKEE Roll

CARD NO.

FIELD NO. D 637

Dawes' Roll No		TRIBAL ENROLLMENT District	No	Name of Father	Year	TRIBAL ENROLLMENT District	CITIZENSHIP OF PARENTS Name of Mother	Year	District
	Mansfield [illegible]	[illegible]		[illegible]		[illegible]	[illegible]		
2	[illegible]			M.J. Mansfield		[illegible]	[illegible]		
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17	Dec Chart-								
18	Card #25								

[illegible] application for marriage [illegible]
[illegible] Mansfield [illegible]
[illegible] Mansfield [illegible]

[illegible] in accordance with the decision of
[illegible] and land [illegible]
paid to Cherokee [illegible]

Supl.-C.D.#637.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL in the matter of the enrollment of KLLEN MAYFIELD, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 15, 1902, that her application for the enrollment of herself and stepchild as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 6th day of March, 1902; and that on said day she might appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her case. The applicant has this day, to-wit: the 6th day of March, 1902, been called and failing to respond either in person or by attorney, it is directed that the case be closed and that the same be reported to the Commission for final decision based upon the evidence now of record.

Mr. W. W. Hastings, Cherokee Representative, present.

Commissioner.

J.O.R.

Mike Mayfield Walker.

vs.

Rosa Mayfield, For Divorce Chatsley.

Judgement confirmed by Defendant with the plaintiff obligation himself to support the Defendant, Vattie Bird her child in the sum of Seventy (75.00) five dollars annally, to be paid in equally, quarterly installments, so long as the said defendant remains a eligible Title, and to continue, the support of the child until it becomes of age. Sept. 23rd 1890.

Executive Office Cherokee Nation.
Tahlequah, I.T.

I, W.W. Alberty, assistant Executive Secretary of the Cherokee Nation do hereby certify that the above is a true copy taken from the Docket for the circuit Court for Tahlequah District, Cherokee Nation, for the September Term of said Court 1890; that said Docket has been filed in this Office by Law and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 24th day of November, 1900.

W.W. Alberty,

Assistant Executive Secretary,
Cherokee Nation.

Department of the Interior,
Commission to the Five Civilized Tribes.

Muskogee, I.T., May 13, 1902.

I, the undersigned, a Stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Michael E. Mayfield, et. al., as citizens of the Cherokee Nation.

C L Mading

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 7th, 1902.

In the matter of the application of Ellen Mayfield for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation and for the enrollment of her stepson, Watie Mayfield, as a citizen by blood of the Cherokee Nation.

Supplemental to D-637.

Appearances:
Michael F. Mayfield for Applicant.
J. C. Starr for Cherokee Nation.

MICHAEL F. MAYFIELD, being duly sworn, testified as follows:
Examination by the Commission.

Q. State your full name? A. Michael F. Mayfield.
Q. What is your post office? A. Lenapah.
Q. You are a Cherokee by blood? A. Yes, sir.
Q. How long have you lived in the Cherokee Nation? A. I have been there, I believe I come in '71.
Q. Lived in the Cherokee Nation ever since that time, have you? A. Yes, sir.
Q. Never lived out? A. No, sir.
Q. What is your wife's name? A. Ellen.
Q. She is a white woman? A. Yes, sir.
Q. Claiming her citizenship through you? A. Yes, sir.
Q. When were you married to her? A. I was married to her in '93, I believe.
Q. Were you ever married before you married Ellen? A. Yes, sir.
Q. Was your first wife dead before you married Ellen? A. Yes, sir
Q. Was she ever married before she married you? A. No, sir.
Q. You are her first husband? A. Yes, sir.
Q. She is your second wife? A. Third wife.
Q. You were married twice before you married Ellen? A. Yes, sir.
Q. Who was your first wife? A. She was a Sanders.
Q. When were you married to her? A. I believe in '76. I can't keep dates. I have got a record of it at home.
Q. About '76? A. About somewhere along there.
Q. How long did you live with her? A. I lived with her, I believe it was '89.
Q. She died in '89? A. I believe so, about that time.
Q. Then who did you marry? A. I married a Harlow.
Q. What was she, Cherokee or white woman? A. White woman.
Q. How long did you live with her? A. About a year.
Q. Did she die? A. No, sir.
Q. Were you divorced? A. Yes, sir.
Q. Who secured the divorce? A. The court at Tahlequah.
Q. Who sued for the divorce? A. I did.
Q. Did you file a copy of that decree of divorce? A. Yes, sir.
Q. Now, has your wife Ellen been living with you in the Cherokee Nation ever since you married her? A. Yes, sir, ever since.
Q. Never been separated? A. Never have.
Q. Living together at this time? A. Yes sir
Q. Did your wife have a child before you married her? A. No, sir.
Q. Who is Watie Mayfield? A. That is by this Harlow woman.
Q. That is your child? A. Yes, sir. I have no children by this last woman.
Q. Watie Mayfield is your child by your second wife? A. Yes, sir.

Q. Have you a certificate of your marriage to your second wife?
A. Yes, sir.
Q. Did you file that with the Commission? A. Yes, sir.
Q. That child Watie is living with you now in the Cherokee Nation?
A. No, sir; he is with his mammie.
Q. Where is she living? A. She is near the line. I don't know which side. He is renting in the Osage Nation and Cherokee Nation.
Q. Has she had that child? A. Yes, sir; I let her keep it until it got large enough.
Q. Do you know where your second wife has been from the date of your divorce? A. I don't know. I know about. They rent here and there.
Q. What is her present husband's name? A. Hammond.
Q. What is his first name? A. Bill.

Examination by Mr. Starr.

Q. Is your second wife's husband a white man? A. Yes, sir.
Q. How long has this child been living with her? A. It has been with her all the time.
Q. Where has she been living? A. She has been living around the neighborhood of Tahlequah until about 3 years ago, or two years ago, she moved out.

Examination by the Commission.

Q. When did she marry Hammond? A. I believe the second year after she and I parted, or the first.
Q. You made application for the enrollment of your child Watie?
A. Yes, sir. And they required me to get a copy of the divorce and marriage license of the preacher that married us according to the Cherokee rules.
Q. It will be necessary also to prove that child's residence, as to whether he has been living in the Territory? A. It has been in the Territory and is not; that is in the Osage country. Been there about two years. Moved up in the Osage land.
Q. Prior to that time where has he been living? A. Near Tahlequah. In the neighborhood of Tahlequah. In Tahlequah district.
Q. Up to two years ago? A. Yes, sir; about two years ago.
Q. On June 28th, 1898, where were they living? A. They were here at Tahlequah.
Q. It is since June, 1898, they have gone up to the Osage Nation, is it? A. Yes, sir.

Examination by Mr. Starr.

Q. How far from Tahlequah was it, where they lived near Tahlequah?
A. About 5 miles.
Q. The last two years they have been living in the Territory of Oklahoma? A. Yes, sir; for the last two years. I can't say whether they are this side of the line . They are on this side of the line part of the time or over in the Osage country. They move backwards and forwards,; that is the way I understand it.

Examination by the Commission.

Q. Do you know of your own knowledge that they were there in Tahlequah district in June, 1898? A. Yes, sir.
Q. You are sure of that? A. Yes, sir. 1898? Lets see. I won't be positive. I think they were there.
Q. That would be four years ago last June? A. I couldn't say positively that they were there.
Q. You say they have been out in the Osage country only about two years? A. Something about that time.
Q. Four years ago they were in the Cherokee Nation? A. Yes, sir.
Q. You are sure of that? A. Yes, sir; to the best of my recollection.

James O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

James O. Carr

Subscribed and sworn to before me this 5th day of December, 1902.

B. A. Jones
Notary Public.

Know all men by these presents, that I, [illegible] of the County of [illegible] and State of [illegible] for and in consideration of the sum of [illegible] Dollars, to me in hand paid by [illegible] of the County of [illegible] and State of [illegible] the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said [illegible] and to [illegible] heirs and assigns forever, all that certain tract or parcel of land lying and being in the County of [illegible] and State of [illegible] and bounded and described as follows, to-wit:

[illegible]

Witness my hand and seal this [illegible] day of [illegible] A.D. 1903.

Signed, sealed and delivered in the presence of us:

[illegible]

[illegible]

Cherokee D-637.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ellen Mayfield as a citizen by intermarriage, and Watie Mayfield as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record shows that on October 18, 1900, Michael F. Mayfield appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment, among others, of his wife, Ellen Mayfield, and his minor child, Watie Mayfield. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 7, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Ellen Mayfield was lawfully married on May 27, 1892, to Michael F. Mayfield, a citizen by blood of the Cherokee Nation.

The evidence further shows that Michael F. Mayfield was first married in 1876, and lived with his wife until her death, which occurred in 1889. Subsequent thereto he was married to a white woman, Harlow by name, from whom he was divorced, said divorce being prior to the marriage to his said wife, Ellen Mayfield. As a result of that marriage, the minor child, Watie Mayfield, was born. Ellen Mayfield and Watie Mayfield are identified on the Cherokee census roll of 1896.

The evidence further shows that Ellen Mayfield has been living with her said husband in the Cherokee Nation since her marriage to him, up to and including September 1, 1902. Watie Mayfield is living with his mother, the former wife of Michael F. Mayfield, and was residing in the Cherokee Nation with his mother on June 28, 1898.

It is, therefore, the opinion of this Commission that Ellen Mayfield should be enrolled as a citizen by intermarriage, and that Watie Mayfield should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	506
Walter A. Edens	62	Joseph P. Willis	584
Addie B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulmo Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Willis	248	John F. Carden	861
John W. Thurman	253	William H. Burrow	907

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pideock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John B. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R Gray	3116
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J Trotter	3257
Albert P Goforth	3298
Anna B Martin	3307
William Brown	3344
Jennie B Bluejacket	3345
William Little	3377
Julia M A Russell	3386
Andrew J Smith	3393
William N Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S Heady	3437
William M Roseborough	3444
Madison G Hawkins	3467
Japhat F Ellis	3491
Emma McAffrey	3543
William T Hunt	3570
Myra E Chouteau	3580
Phillip Dagobon	3581
Fred L Kelley	3593
Annie Herod	3594
Maggie V Fields	3615
Lou Payne	3616
Frederick W Strout	3692
Andrew L McCamish	3713
Sarah Darthrower	3731
William P Cobb	3758
Robert L Madison	3761
Mariah McDowell	3795
Elizabeth R Thornton	3811
Donithan A Wilson	3841
Charles F Covey	3868
Tamsey M Williams	3886
Mary J Wolfe	3889
Lathan Lambard	3891
Micajah P Haynes	3897
Annie L Wingfield	3903
Mary Fields	3907
William W Dudley	3944
Minnie M McLaughlin	3950
Henry B Lindsey	3978
Wilbert H Parkison	3990
Seth R Hall	4011
Wiley Hanna	4016
Martha M Woods	4093
Lizzie Gray	4117
Nancy C Carey	4131
Annie E Kenney	4165
William H Ward	4169
Nannie Brewer	4180

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Pigrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peek	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Lesex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Daisey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Cheanut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5798
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5829

Thomas H. Huddleston	5832
William R. Sharman	5837
Joseph W. Lawrence	5843
William H. Hinton	5846
Joseph Batte	5851
Tom W. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earles J. Ellis	5874
Rosa B. Wheeler	5877
Sarah Cannon	5879
Thomas Beck	5887
Jack H. Merriman	5888
John D. Merriman	5889
Sarah E. Chronister	5894
Jerry Young	5906
James H. Brooker	5916
Mary Hicks	5919
George W. Weems	5922
Albert Cram	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stramon	5936
Waddie Hutson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parks	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Bayton	5965
Minerva E. Stover	5966
John W. Dwiley	5967
Joseph W. Wooten	5970
Cornelius P. Turner	5971
Amanda C. Thompson	5972
John M. Rhodes	5976
Harrison L. Hughes	5979
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah E. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Black	6029
William R. Wells	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Castephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6296
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7089
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary F Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie E McClure	7171
Benjamin B Graham	7176
Ada Phariss	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James L Goad	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Kinsay Sapsucker	7378
Sarah J Johnson	7394
William I Branan	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Bertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy L Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
William M Wilson	9444
David O Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
John G Ainsworth	9456
Mary J Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P Mulkey	9465
Andrew Brimmer	9467
James F Flippin	9471
William Bird	9473
Mollie C Forbes	9476
William H Thomason	9478
Mollie Devine	9481
Mary P Guthrie	9482
Detlev N Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A Wiltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
William Bugher	9577
James M Smith	9582
John E Nazworthy	9583
Beverly L Lafon	9587
Robert L Gentry	9590
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Bate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9638
Annie Sanders	9639
Mack H Martin	9640
Mary Ward	9643
George Givens	9648
Phoney Feerhay	9649
Charley Kiper	9671
Andrew J Snider	9672
William T Barton	9694
Daniel Crail	9770
Mary M Motte	9771
Lecia E Herrin	9824
Guilen E Carnek	9825
Rosa B Barger	9827
Rachel Foreman	9829
Seraptа C Wills	9831
Virgie Sanbolt	9834
Annie Cannon	9837
Isabella McCoy	9838
Robert K Dye	9875
William L Brown	9879
[illegible]	9891
[illegible]	9892
[illegible]	9893
[illegible]	9894
[illegible]	9902
[illegible]	9905
[illegible]	9906
[illegible]	9908
[illegible]	9912
[illegible]	9916
[illegible]	9928
[illegible]	9935
[illegible]	9936
[illegible]	9937
[illegible]	9939
[illegible]	9940
[illegible]	9942
[illegible]	9945
[illegible]	9946
[illegible]	9947
[illegible]	9948
[illegible]	9949
[illegible]	9950
[illegible]	9954
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[illegible]	9964
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[illegible]	9981
[illegible]	9982
[illegible]	9984
[illegible]	9985
[illegible]	9987
[illegible]	9988
[illegible]	10002
[illegible]	10005
[illegible]	10009
[illegible]	10011
[illegible]	10013
[illegible]	10015
[illegible]	10016
[illegible]	10020
[illegible]	10021
[illegible]	10022
[illegible]	10023
[illegible]	10026

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10158
Louisa J. Palmour	10159
George L. Walker	10170
Annie Taylor	10173
Josie Winters Hall	10176
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10185
Annie Winton	10187
Marian Evans	10[illegible]
Elizabeth J. McClain	10[illegible]
Eliza J. Price	10189
Rissie Still	10190
Hannah E. Langley	10201
Alma Keith	10202
Flora A. Terrill	10204
Taliaphora A. Parades	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
John Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Walker	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battise, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	430
John M. Robinson	D	433
Henry S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	770
Georgia A. Waybourn	D	786
Elias Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleore F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A [illegible]	D	[illegible]	Ella Winn	D	1330
Manuel Spencer	D	[illegible]	[illegible] Wofford	D	1330
Benjamin H Hulbert	D	[illegible]	Emma Downing	D	1332
Mary Brasfield	D	[illegible]	[illegible] Ester	D	1334
James L Tindle	D	[illegible]	[illegible] Mills	D	1337
Silas G Bennett	D	[illegible]	[illegible] Woods	D	1342
Eliza Wofford	D	[illegible]	[illegible] Winchester	D	1352
Jasper L Newton	D	[illegible]	[illegible]	D	1361
John A Gunn	D	[illegible]	[illegible]	D	1363
Hannah Parson	D	[illegible]	[illegible]	D	1367
Nellie C Hetherington	D	[illegible]	[illegible]	D	1369
Thomas J Weier Jr	D	[illegible]	[illegible]	D	1373
Lizzie Christian	D	[illegible]	[illegible]	D	1433
George Hazlewood	D	[illegible]	[illegible]	D	1434
James M Jones	D	[illegible]	[illegible]	D	1435
Reuben A Evans	D	[illegible]	[illegible]	D	1458
Carrie H Cain	D	[illegible]	[illegible]	D	1474
John M Burns	D	[illegible]	[illegible]	D	1555
Sarah E Henson	D	[illegible]	[illegible]	D	1558
Laura D Henson	D	[illegible]	[illegible]	D	1567
Hettie E Downing	D	[illegible]	[illegible]	D	1581
Benjamin F Cran	D	[illegible]	[illegible] Washing	D	1637
Benjamin Hendrix	D	[illegible]	[illegible]	D	1661
Nancy Summers	D	[illegible]	[illegible]	D	1866
Annie Wilson	D	[illegible]	[illegible]	D	1913
Ora H Maxwell	D	[illegible]	[illegible]	D	1967
Reuben W Moore	D	[illegible]	[illegible]	D	1991
Cora Childs	D	[illegible]	[illegible] Holland	D	2024
Jane Hughes	D	[illegible]	[illegible]	D	2216
Frances B Ben	D	[illegible]	[illegible]	D	2501
Martha Carey	D	[illegible]	[illegible]	D	2502
Christina Johnson	D	[illegible]	[illegible]	D	2505
Louvenia Ivanson	D	[illegible]	[illegible]	D	2580
Martha J Henson	D	[illegible]	[illegible]	D	2603
David A Martin	D	[illegible]	[illegible] Thompson	D	2605
Fred D McInnes	D	[illegible]	[illegible] Horn	D	2606
Nathaniel R Martin	D	[illegible]	[illegible]	D	2606
James H Beaty	D	[illegible]	[illegible] Bass	D	2608
Frank Carver	D	[illegible]	Tom W Rowe	D	2609
Etta B Payne	D	[illegible]	[illegible]	D	2612
Mary Garrett	D	[illegible]	[illegible] Thomas	D	2613
Joe W Goodman	D	[illegible]	[illegible]	D	2614
Mathew J Pearce	D	[illegible]	[illegible]	D	2618
Lizzie C Holland	D	[illegible]	[illegible]	D	2619
Etta Downing	D	[illegible]	[illegible] Whitehead	D	2620
William Carwood	D	[illegible]	[illegible] Martin	D	2667
Clarence R Turner	D	[illegible]	[illegible] Baxter	D	2696
Alfred Chance	D	[illegible]	[illegible] Harper	D	2697
Stephenson [illegible]	D	[illegible]	[illegible] Gilmore	D	2698
Otis Russell	D	[illegible]	[illegible] Gilmore	D	2699

Herbert F. Couch	D	2700	Samuel A. Parkhurst	D	2821
Albert C. Dykes	D	2703	Ellen Rogers	D	2822
Delora Drew	D	2704	Elijah Rolland	D	2827
Frank F. Danderson	D	2705	Endora Steele	D	2828
James Gafford	D	2708	William M. Stucker	D	2829
Anna L. Harlin	D	2715	Sallie Tauuneacie	D	2831
William R. Lipsey	D	2717	Mary Tassle	D	2832
Bertha Landrum	D	2718	John F. Wolf	D	2835
Lila More	D	2722	Ruth A. Ward	D	2840
John D. Mathews	D	2723	Winnie Daugherty	D	2884
Mary McIntosh	D	2725	Mary Guthrie	D	2885
Bertha Nidiffer	D	2730	Lydia Long	D	2886
Richard Nichols	D	2731	Edda Roberts	D	2887
William S. Ross	D	2738	Manda Ward	D	2889
Irene Riley	D	2739	Elmira J. Alberty	D	2905
William H. Rowley	D	2740	Thomas C. Cordray	D	2906
Colombus C. Scroggins	D	2741	Edward Fowler	D	2907
Della Summers	D	2743	Dora Foreman	D	2908
William S. Sage	D	2744	Parker Holt	D	2909
Eliza Thomas	D	2748	John Haston	D	2910
John P. Thurman	D	2749	Georgie Harlin	D	2911
Mary E. Davis	D	2770	Percillia Johnson	D	2913
Jessie Frick	D	2774	Bettie Morton	D	2915
Enna Buffington	D	2788	Samantha Spade	D	2917
Will Black	D	2789	Mariah Ward	D	2918
Maggie E. Davis	D	2792	Ellen Watt	D	2919
Thomas Dotts	D	2793	Nora Morten	D	2920
William Daws	D	2794	Lizzie Anderson	D	2981
Nancy Dawson	D	2796	Francis Duval	D	2984
Lena Fields	D	2797	Wade S. Hayes	D	2987
Effie Grayham	D	2798	James A. Hankins	D	2988
Alice C. Hill	D	2799	Joseph Hardee	D	2991
Bertha H. Harlin	D	2800	Teanie Horn	D	2992
Margrett C. Hudson	D	2801	Eveline Hall	D	2993
Joseph A. Kelley	D	2803	John E. Leftwich	D	2995
Andrew O. Repler	D	2804	Mattie Henson	D	2996
Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shanks	D	3000
John A. McKenzie	D	2808	Nettie Young	D	3000
Ione McGee	D	2809	Jerry P. Ables	D	3001
Ollie Miller	D	2810	Almedie Ross	D	3002
William A. Martin	D	2811	John S. J. Fowler	D	3004
Jesse P. Morrow	D	2812	Leaner Hood	D	3005
Oliver Mason	D	2813	James D. Jackson	D	3007
Edna Whitehead	D	2814	Emma G. Nelson	D	3008
Charley Nuckolls	D	2815	Alice Simco	D	3009
Etta M. Nidiffer	D	2817	George O. Wallace	D	3010
Louiser Osowee	D	2818	Fannie Clay	D	3010
William H. Patterson	D	2820	Ellen Drew	D	3070

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miner	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hall	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharies	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	494
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Stitrell	R	642
Jimmie G. Thompson	R	5	John Stitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875 The name of no one of said persons is identified on the Cherokee authenticated roll of 1880

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 126, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

Commissioner.

Dated at Muskogee, Indian Territory.

this January 10, 1907

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 21 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 15, 1902.

Mr. Michael F. Mayfield,

Tenapah, Indian Territory,

Sir:-

You are hereby notified that the application of Allen and Vatie Mayfield

for enrollment as citizen s of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-637
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

Cherokee D-637.

COPY

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Michael P. Mayfield for the enrollment of his wife, Ellen Mayfield, as a citizen by intermarriage, and for the enrollment of his minor child, Mattie Mayfield, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. D-M.

COPY

Muskogee, Indian Territory, February 3, 1898.

Michael F. Mayfield,

Lenapah, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 18, 1898, granting your application for the enrollment of your wife, Ellen Mayfield, as a citizen by intermarriage, and for the enrollment of your child, Willie Mayfield, as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. M-157

Register.

Cherokee
10068

Muskogee, Indian Territory, January 10, 1907.

Miles Mayfield,
Tenaspah, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn.---g---

Commissioner.

Muskogee, Indian Territory, March 12, 1907.

Miss Mayfield,
Lenapah, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting the application for the enrollment of Jones Vann, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 30, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-169
HMH

Commissioner.

Cher 10086

Elizabeth Trimble

Trans. from D668

Cher 10086

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Claremore, I.T. October 23rd, 1900.

IN THE MATTER OF THE APPLICATION OF ELIZABETH TRIMBLE FOR THE ENROLLMENT OF HERSELF AND CHILD AS CHEROKEE CITIZENS.

The said Elizabeth Trimble, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Elizabeth Trimble.
Q How old are you? A Twenty-nine years old.
Q What is your post office address? A Muskogee.
Q What district do you live in? A Cooweescoowee when I am at home.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q What degree of blood do you claim? A I can't tell that.
Q What was your father? A My father was a full blood.
Q And your mother? A My mother half.
Q Who do you want to enroll? A Well, I have a child.
Q Do you want to enroll your self? A Yes, sir, my self, and I want to enroll a child too.
Q What is the name of the child? A Eagert Ross.
Q How old is he? A He is fifteen years old.the 28th of this month.
Q What is your father's name? A Dave Blackbird.
Q Your mother's name? A Melissa Ross.
Q Is your father living? A No, sir; my father is dead.
Q Is your mother living? A Yes, sir.
Q What is her name? A Melissa Ross now.
Q Are you married? A Yes, sir.
Q What is your husband's name? A James Trimble.
Q Is he an Indian or a colored man? A He isa colored man.
Q You don't apply for him? A No, I don't know anything about it.
Q Have you any certificate of marriage? A I have by the United States.
Q Well, where is it? Have you got it with you? A No, sir.
Q Have you always lived in the Cherokee Nation? A Yes, sir.
Q You were born there? A Yes, sir.
Q You are living in the Cherokee Nation now? A No, sir; I live in the Creek Nation now.
Q How long have you lived there? A About six years.
Q Where? A At Muskogee.

EXAMINATION By Mr. Cale Starr, Representative of Cherokee Nation.

Q Were you ever enrolled on any of the rolls of the Creek Nation? A No, sir.
Q Was your father dead before 1880? A I don't know. I was a child when he died.
Q Is your mother living now? A Yes, sir.
Q Where is your mother? A She is right there. (indicating)

MELISSA ROSS, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Melissa Ross.
Q How old are you? A I guess about forty-nine years old.
Q What is your post office? A Claremore.
Q Are you the mother of Elizabeth Trimble? A Yes, sir.
Q Are you a Cherokee citizen by blood? A Yes, sir.

Q How long have you lived in the Cherokee Nation? A Well, I have lived here ever since I can remember.
Q Is your name on the roll of 1880? A Yes, sir.
Q What was your father's name? A My father's name was Abraham Orange.
Q What was your mother's name? A Knight.
Q Is she dead? A Yes, she died long ago.
Q Your name does not appear on the roll of 1880. A It must have been a mistake. My name was Rose in 1880.
Q Where were you in 1880? A I lived here in Cooweescoowee District.
Q What was your husband's name? George Rose? A Yes, sir.
Q Were you ever married to Blackbird? A Yes, sir.
Q Before Rose? A Oh, yes, he was my first husband.
Q Your husband, George Rose was a colored man? A Yes, sir.
Q Your mother was an Indian? A Yes, sir.
Q Your mothers name was wht? A Katie Knights.
Q Do you know of anybody here that knew your mother? A Why, there is one man, but I don't know whether he is in to n or not.
1880 Roll, page 76, No. 425, Lizzie Blackbird, Cooweescoowee District. (Freedmen Roll.)
Q You were notliving in the Cherokee Nation in 1896, four years ago? A No, sir.
Q You are noton the 1896 roll, then? A I went to Tahlequah and had my name put on the roll during the council in 1896.
Q Didyou draw money in 1896? A Yes, sir; I have drawed money all my life.
Q Where did you draw money? A Here in Claremore in the Cherokee Nation.
Q Was your money drawn by P. A. Wellmon in 1894? A Yes.
Q Who is Kate Blackbird? A She is my sister.
1896 Roll, page 129, No. 294, Lizzie Blackbird, Cooweescoowee District.
Q Who is this Eddie Rose? A My child.
Q That child was born to you before your marriage, was it? A Yes, sir.
1896 Freedman Roll, page 415, No. 440, Eddie Rose, Cooweescoowee District.

THE COMMISSIONER: The name of Elizabeth Trimble is found upon the Colored Freedmen roll of 1880 as Elizabeth Blackbird. Her name is also found upon the Cherokee Roll of 1896. The name of her child Eddie is found upon the census roll of 1896 as Colored. She avers that her mother is Melissa Rose, a Cherokee By Blood, and she also avers that the mother of said Melissa Rose was a Cherokee by blood. Her present husband, one James Trimble, is a colored man. She avers that her father, Dave Blackbird, was a Cherokee Indian by blood. She also avers that her mother, Melissa Rose, is an Indian by blood, and comes Melissa Rose and testifies that her mother was a Cherokee Indian. No proof is made as to the citizenship of her mother, that is as to the mother of Melissa Rose. The evidence not being satisfactory as to the citizenship of the applicant, as to whether she is colored or Indian by blood, final judgment as to her enrollment and that of her child will be suspended to enable her to furnish proof as to the nationality of the mother of Melissa Rose, Melissa Rose being the mother of the applicant, and final judgment as to the application for the enrollment of her child, Eddie Rose, will be suspended for a like reason.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testi

timony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 6th day of October A. D. 1900.

Commissioner.

DEPARTMENT OF THE
COMMISSION TO THE FIVE CI
RECEIVED
MAY 24 1988

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 23 1906

Acting Chairman

CHEROKEES BY BLOOD AND ADOPTION.

Date Oct. 23 1900 1900.

Name Mrs. Margaret J. Brimhall

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Elizabeth Trimble nee Bivens

District COOWEESCOOWEE Freedmen Roll Year 1880 Page 76 No. 413

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Names of Children:

Edward Ross Dist. COOWEESCOOWEE Freedmen Roll Year 1880 Page 415 No. 440 Age 15

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 on 1880 roll as Lizzie Blackburn

2 on 1880 roll as Eddie Rose

SUPPLEMENTAL TESTIMONY.

Kaliora Ross [illegible] Cit.
Elizabeth Trimble " Cit.
Katie Vann " Cit.

[illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., [illegible] 27th, 1900.

SUPPLEMENTAL Testimony in the matter of the applications of Kaliora Ross, D. 669, Elizabeth Trimble, D. 668, and Katie Vann, D. 670, for enrollment as citizens of the Cherokee Nation.

[illegible], being first duly sworn, testified as follows: EXAMINATION BY THE COMMISSION:

Q What is your name? A William Brewington.
Q What is your age? A 35 as near as I can get at it.
Q What is your post office address? A Collinsville.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.

EXAMINATION BY JOHN C. [illegible], Cherokee Representative:

Q Do you know Kaliora Ross? A Yes, sir.
Q Did you know her mother? A Yes, sir, I knew her father and mother both.
Q What was her mother's name? A Katie Vann.
Q What was the citizenship of Katie Vann? A Cherokee I guess.
Q Was she a Cherokee by blood? A Yes, claimed to be.
Q Do you know that she was or was not a slave? A No, she was no slave.
Q Was she always recognized as a Cherokee by blood? A She was always recognized as a Cherokee.
Q By blood? A Yes.
Q [illegible]
Q Was Kaliora Ross recognized as a citizen of the Cherokee Nation of this State? A Yes, sir, she was.
Q By blood? A Yes.
Q What was the citizenship of the father of Kaliora Ross? A He was just half negro and half Cherokee by blood. He was a freedman.
Q Never was a slave? A Not as I know of.

J. G. Brown, being first duly sworn, states that he stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. G. Brown

Subscribed and sworn to before me this 27th day of October, 1900.

C. A. Brunson

Commissioner.

SUPPLEMENTAL TESTIMONY.

Malinda Rose DOUGHTON 659.
Mittabeth Trimble " 658.
Katie Vann " 670.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., OCTOBER 27th, 1900.

SUPPLEMENTAL Testimony in the matter of the applications of Malinda Rose, D. 659, Mittabeth Trimble, D. 658, and Katie Vann, D. 670, for enrollment as citizens of the Cherokee Nation.

WILLIAM BROWNINGMEAR, being first duly sworn, testified as follows: EXAMINATION BY THE COMMISSION:

Q. What is your name? A. William Brownin-bear.
Q. What is your age? A. 55 as near as I can get at it.
Q. What is your post office address? A. Collinsville.
Q. Are you a recognized citizen of the Cherokee Nation? A. Yes, sir.

EXAMINATION BY JOHN G. STARR, Cherokee Representative:

Q. Do you know Malinda Rose? A. Yes, sir.
Q. Did you know her mother? A. Yes, sir, I knew her father and mother both.
Q. What was her mother's name? A. Kate Vice.
Q. What was the citizenship of Kate Vice? A. Cherokee I guess.
Q. Was she a Cherokee by blood? A. Yes, claimed to be.
Q. Do you know that she was or was not a slave? A. No, she was no slave.
Q. Was she always recognized as a Cherokee by blood? A. She was always recognized as a Cherokee.
Q. By blood? A. Yes.
Q. Did you go to school with her? A. Malinda - I did.
Q. Was Malinda Rose recognized as a citizen of the Cherokee Nation at that time? A. Yes, sir, she was.
Q. By blood? A. Yes.
Q. What was the citizenship of the father of Malinda Rose? A. He was just half negro and half Cherokee by blood. He was a freedman.
Q. Where was a slave? A. Not as I know of.

---oooOOOooo---

I, O. Benson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 29th day of October, 1900.

Commissioner.

Filed with Cherokee R. 668 Elizabeth Trimble.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., September 3, 1901.

In the matter of the application of Malissa Ross for enrollment as a Cherokee by blood.
Supplemental testimony on behalf of Applicant.
Appearances:
W. W. Hastings of counsel for Cherokee Nation.

Columbus Lasley, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Columbus Lasley.
Q What is your age? A 55.
Q What is your postoffice? A Tahlequah.
Q You a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know Malissa Ross, the applicant? A Yes, sir.
Q. How long have you known her? A I have known her about thirty years.
Q. Did you know her mother? A Yes, sir.
Q What was her mother's name? A Katie Knight, the name I knowed her by.
Q What was the citizenship of the mother of the applicant?
A. She was a Cherokee.
Q She was a Cherokee by blood, was she? A Yes, sir.
Q. How long did you say you knew the applicant? A About thirty years, I guess.
Q Has she always lived in the Cherokee Nation? A Ever since my knowing.
Q Has she been recognized as a Cherokee citizen? A Yes, sir.
Mr. Hastings: Was there any dispute about her mother? A No, sir, not that I know of.
Q You knew her well? A Yes, sir.
Q. How far did she live from you? A She lived right up here on Fourteen Mile Creek.

Upon examination of the roll of 1880, a note opposite the name of Malissa Ross says: A On Census 1883 as a native Cherokee, No. 1510.

Bruce G. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

Bruce G. Jones.

Sworn to and subscribed before me this the 3rd of September, 1901.

T. B. Needles,
Commissioner.

I, Margaret Crutsinger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that same is a true and complete copy of the orignal transcript.

Margaret Crutsinger

Cherokee D 668

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Elizabeth Trimble for the enrollment of herself and her minor child, Edward Ross, as citizens by blood of the Cherokee Nation.

D E C I S I O N

The record herein shows that on October 23, 1900, Elizabeth Trimble appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of herself and her minor child, Edward Ross, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Claremore, Indian Territory, on October 27, 1900.

The evidence in this case shows that Elizabeth Trimble is identified on the Cherokee authenticated tribal roll of 1880 as a freedman, and she is also identified on the 1896 Strip payment roll, her child, Edward Ross is identified on the 1896 Cherokee Census roll as a Cherokee freedman. It appears however, that the applicants are Cherokees by blood. Elizabeth Trimble is the daughter of one Malissa Ross, who is an applicant for enrollment. It appears from an examination of the Commission's records that the Commission, on June 18, 1902, rendered a decision enrolling the said Malissa Ross as a citizen by blood of the Cherokee Nation, her enrollment number being 9520.

The evidence further shows that the said Elizabeth Trimble has resided in Indian Territory all her life and the residence of her child, Edward Ross, who is a minor, is considered to be that of his mother.

It is, therefore, the opinion of this Commission that Elizabeth Trimble and Edward Ross should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495) and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this JUL 15 1903

COPY.

Cherokee B-668.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Elizabeth Trimble for the enrollment of herself and her minor child, Edward Rose, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. M-1.

COPY.

Cherokee D-668

Muskogee, Indian Territory, February 4, 1903.

Elizabeth Trimble,
Muskogee, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself and your minor child, Edward Rose, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. B-164

Register.

Cher 10087

Ella Bray

Trans. from D776

Cher 10087

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE, I.T., NOVEMBER 10th, 1900.

In the matter of the application of Nila Bray for enrollment as an intermarried citizen of the Cherokee nation; said Bray being sworn and examined testified as follows: Examination by Commissioner Needles:

Q What is your name? A Nila Bray.
Q What is your age? A 24.
Q What is your post office address? A Oolagah.
Q What district do you live in? A Coowescoowee.
Q For whom do you apply? A Myself.
Q Are you a Cherokee citizen by blood? A No, sir.
Q Cherokee citizen by intermarriage? A Yes, sir.
Q What is your husband's name? A John Bray.
Q You are not living with him? A No, sir.
Q See Roll; page 757, #6656, John Falling, Tahlequah.
Q John Falling is your husband? A Yes, sir.
Q How long did you live with him? A Well, sir, I would not be positive, I think he staid with me four days.
Q He left you? A Yes, sir.
Q Never lived with you since? A No, sir.

ELIZABETH LEECH, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Elizabeth Leech.
Q How old are you? A About 45.
Q Do you know Nila Bray? A Yes, sir.
Q Do you know John Bray? A Yes, sir.
Q Do you know how long they lived together as man and wife? A Well, sir, I think about three or four days. They were living about half a mile of me.
Q Do you know the reason they separated? A No, I have no cause whatever.

BELL LESTER, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Bell Lester.
Q What is your age? A 30.
Q Your post office? A Clarmore.
Q Do you know Nila Bray? A Yes, sir.
Q Do you know John Bray, her husband? A Yes, sir.
Q Do you know that they were married? A They told me that they were married.
Q They lived together as man and wife how long? A About three or four days.
Q Do you know the reason they separated? A No, sir.

Q (To the Applicant) Have you any certificate of marriage? A No, sir.

Q (To the Witnesses) Neither of you knew why he left? A (Each answers) "No, sir." By Bell Lester: I went over there one day and he left.
Q They were living at your mother's place? A Yes, sir.
Q Did she continue to live at your mother's place? A She staid there a while.
Q Did John ever tell you why he left? A No, sir.

Counsel for Applicant presents satisfactory proof of marriage, certifying that Miss Nila Haggerty, a citizen of the United States, was married to John Bray, a citizen of the Cherokee Nation, on the

28th day of November, 1895.

Q Is there any statement, Mrs. Bray, you desire to make about your separation? A No, sir, they told it just as near as I could tell it.
Q Did not you testify this morning that you offered to live with him if he would furnish you a house? A Yes, sir.
Q Did he want you to go with him? A He was Marshal of the Town and I told him that I would not live with him unless he get a house.
Q Was he a man of little means? A He was a Poor man.
Q Q Did not you know when you married him that he was not a man of means? A He had a house when we married, had his mother's house.
Q He furnished you a house did not he? A Yes, sir, he told me to leave the house. He told me that I could take the things and go up to his sister's to stay until he come after me and he never come.

Com'r Needles:--The name of John Bray, the husband of the applicant, appears upon the authenticated roll of 1880 as John Falling, and satisfactory proof is made as to the marriage, but because of the separation of the parties a short time after their marriage, final judgment as to the enrollment of said applicant will be suspended and her name will be placed upon a DOUBTFUL CARD.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a tre and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 12th day of November, 1900.

C. T. Needles

Commissioner.

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Q.

NOV 18 1900

Tilla Berry--2.

28th day of November, 1899.

Q. Is there any statement, Mrs. Berry, you are going to make about your separation? A. No, sir, they told it just as well as I could tell it.

Q. Did not you testify this morning [illegible] offered to live with him if he would furnish you a home? A. Yes, sir.

Q. Did he want you to go with him? A. He was tenant of the Town and I told him that I would not live with him unless he got a home.

Q. Was he a man of little means? A. He was a poor man.

Q. Did not you know when you married him that he was not a man of means? A. He had a home when we married, the old Mathers home.

Q. He furnished you a home did not he? A. Yes, sir, he told me to leave the house. He told me that I could take the things and go up to his mother's to stay until he come after me and he never come.

County Keeper:--The name of John Berry, the husband of the applicant, appears upon the authenticated roll of 1880 as John Watling, and satisfactory proof is made as to the marriage, but because of the separation of the parties a short time after their marriage, final judgment as to the enrollment of said applicant will be suspended and her case will be placed upon a DOCKET CARD.

---oooOOOooo---

I, [illegible], Reporter, being first duly sworn, depose that as stenographic reporter to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 12th day of November, 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 10 1900

Acting Chairman.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date 1900 ..... 1900.

Name

District Year Page No.

Citizen by blood Written citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Written citizenship

Intermarried citizen

Married under what law Date of marriage Nov. 29, 1895

License Certificate Filed 1900

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

This certifies that I, Joe M. Libby Clerk of Cooweescoowee District joined in the Holy Bonds of Matrimony, Jno. Gray a citizen of the Cherokee Nation and Miss Ella Haggerty a citizen of the United States.

This 29th Nov. 1895.

Joe M. Libby Clerk
Cooweescoowee Dist. C.N.

$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$

I hereby certify that the above is a true and correct copy as found on Page 83 Book " E " Record of Marriages of Cooweescoowee District, C.N.

Joe M. Libby Clerk
Cooweescoowee District
By R. Lee Cowan
Deputy Clerk.

OFFICERS:
T. E. BUFFINGTON, Colored Judge, Visalia.
WATT SEARS, Deputy Judge, Chewawa.
JOS. H. LAHAY, Comst, Chewawa.
J. C. WARD, Secretary, Pro.
JOHN BULLETTE, Sergeant, Chewawa.

OFFICE OF
DISTRICT CLERK,
COOWEEDCOOWEE DIST., C. N.

TERMS OF COURT.
CIRCUIT COURT:
First Monday in June and Fourth Monday in September.
DISTRICT COURT:
First Monday in January and July.

August 27thO 1897

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CLAREMORE, I.T., NOV/ 10th, 1900.

IN THE MATTER OF THE APPLICATION OF Ella Bray for enrollment as a citizen of the Cherokee Nation, and she being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Ella Bray.
Q How old are you? A Twenty four.
Q What is your Postoffice? A Oolagah.
Q What district do you live in? A Coeweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A No sir.
Q For whom do you apply? A Myself.
Q You apply for yourself alone? A Yes sir.
Q You stated you were not a recognized citizen? A I am not: I am married, but have not been enrolled since.
Q Have you any certificate of marriage? A Yes sir.
The applicant presents a certificate of marriage, certifying that she was married to one, John Bray, a citizen of the Cherokee Nation by blood, on the 29th day of November, 1895.

Q Have you any children? A No sir.
(1880 Roll, Page 757, #685, John Falling, Tahlequah D'st)
Q How long did you live with John Bray? A About one week.
Q Did you leave him? A No sir; he left me.

By Mr. W. W. Hastings, Cherokee Representative:
Q Where were you living when you were married? A Oolagah, Indian Territory.
Q And you lived with him about a week? A Yes sir.
Q Whom have you been living with since? A I have been living at my sister's.
Q What is her name? A Mayfield.
Q What was the cause of this separation? A I do not know; he never did tell me why he left me.
Q Were you ever married before? A No sir.
Q You have never been married since? A No sir.
Q Have you lived with your sister all the time since the separation? A No sir; I have worked out some.
Q For whom did you work? A I worked for different ones: I worked for Dave Bell; Mrs. Mayfield and Mrs. Skidmore.
Q He never came back to you any more? A He came back. We have never lived togethr any more.
Q You do not know where he is now do you? A No, sir.
Q Did you apply for enrollmnt in 1896? A I went before the Commission, the Board, and they did not enrollme because they could not find his name, Mr. Schrimsher there was one of them. At the time I did not know the reason and I did not go to Tahlequah to be enrolled.
BY THE COMMISSION:
Q When your husband came back did he want you to c live with him? A Yes, sir.
Q And you would not do it? A No, sir; not unless he would get a house.
Cherokee Representative: Did he live with you a week? A No, sir it was not a week.
Q D'd he live with you a day? A Yes, sir.
Q Did he live with you two days? A Yes, sir.
Q How many days did he live with you? A I do nt know whether he was there four or five days, at home. He left me saying he was going to get a position at Oologah, and send for me, and he wrote that he had got a position and for me to go to his sister's, and he never did send for me.
Q Did you ever write to him? A Yes, sir; I wrote to him.
Q Try to get him to come down and live with you? A No, sir/ I did not. I did not ask him to leave.

The undersigned, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 12th day of November, 1900.

Commissioner.

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
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Acting Chairman

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Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T. October 26th 1901.

SUPPLEMENTAL TESTIMONY in the matter of the application of Ella Bray Cherokee doubtful card 776.

Appearances:
W. W. Hastings for the Cherokee Nation.
Applicant not present.

BY COM'R C. R. BRECKINRIDGE: Comes now the attorney for the Cherokee Nation and states that they have tried to get service on the applicant but that she cannot be found.

JOHN BRAY being sworn by Com'r C. R. Breckinridge, testified as follows for the Cherokee Nation.

(By Hastings)

Q What is your name? A John Bray.
Q What is your age? A 31.
Q Are you a Cherokee by blood? A Yes sir.
Q What is your post office? A Oolagah.
Q Have you ever been married? A Yes sir.
Q What was your wife's name? A Ellen Haggerty when I married her.
Q She was a white woman was she? A Yes sir.
Q Where did you marry her? A In Claremore.
Q How long did you and she live together as man and wife? A Right on to about two months; I didn't live there at home with her but two days.
Q After you married what did you do? A After I married I went up home and staid with her I guess it was 3 or 4 days and at that time they wanted me to come to Oolagah and act as City Marshal and I went there and was appointed and then I couldn't get away and I wrote to her that I would get a place and send for her and I spoke to Ed Sunday about a house; I was waiting for her to come and the first thing I knew she was trying to get her brother in law to go her bond for a divorce, and I saw him and talked with him and when he found out how it was he wouldn't go her bond. I wrote to her to come and live with me and she wrote back to me that she wouldn't live with me.
Q Where is she now? A I think she is at Fort Smith, Arkansas. I think she has been there for the last 2 or 3 years.
Q How long did you actually live with her? A 2 or 3 days.
Q You tried to get her to live with you since then? A Yes sir.
Q Wrote letters to her to come and live withyou and she refused to do so? A Yes sir.
Q Did you have a home for her after you married her? A Yes sir had a home and had it furnished.
Q After you went up there to take the position of town marshaldid you try to make arrangements for a home for her? A Yes sir and I wrote to her that I was trying to get a home and that when I got one I would send for her.

(By the Commission)

Q Have you a copy of the letter that you wrote? A She has the letters I wrote her.
Q Have you a copy of them? A No sir I never was in the habit of keeping a copy of the letters I wrote.
Q Didn't she offer to live with you if you would furnish her with a home? A No sir she never said anything about a home, she just wrote to me she couldn't live with me.
Q Didn't you want her to go with you and she told you that you was Marshal of the town and that she couldn't live with you until you got a house? A No sir.
Q When you were married what house did you live in? A My mother's house, my mother was dead and I had it in my possession, it was my house then.
Q She testified that you did live at your mothers and that when you went away to get the position as marshal you left her there and

you afterwards told her to leave the house and that she could take the things and go to your sisters and stay until you came for her and that you never came, is that a fact? A No sir I never told her that, I wrote to her ~~that~~ if she after I was appointed marshal that I couldn't come there then and that if she didn't want to stay in that house until I could get a house in Oolagah she could take the things and go to my sisters, and that when I got a house I would come for her.
Q Did you ever do that? A No sir, the next thing I knew she was trying to sue me for divorce and I never did anyhing more.
Q Did she sue you? A No sir
Q What was the reason that you never came after her then? A Because I said she wouldn't live with me.
Q How do you know that she wanted to sue you for divorce, did she say so? A No sir but her brother in law said so.
Q What was her brother in law's name? A Frank Mayfield.

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Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a true and complete transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this 7th of November, 1901.

Commissioner.

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FILED

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C. D-776

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Ella Bray for the enrollment of herself as a Cherokee citizen.

Appearances:
A.M.Calloway, Claremore, I.T., attorney for applicant, and applicant in person;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and her attorney were notified by registered letter February 28, 1902, that the application of Ella Bray for the enrollment of herself as citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 10th day of March, 1902. Receipt hereon acknowledged of the Commission's letter both by the applicant and her attorney, and the applicant this day , to-wit: the 10th day of March, 1902, appears in person and by her attorney, A.M.Calloway.

BY COMMISSION OF MR. CALLOWAY: Mrs desire to make any statement relative to this case?

ELLA BRAY, being first duly sworn and being examined testified as follows:
BY MR. CALAWAY:

Q State your name? A Ella Bray.
Q Where do you live? A Oolagah, Indian Territory.
Q What is your age? A 26.
Q You are the Ella Bray that is the wife of John Bray? A Yes sir.
Q Making application here for enrollment as a citizen of the Cherokee Nation by adoption? A A Yes sir.
Q Mrs. Bray, your husband states that you have lived at Fort Smith, Arkansas; if you have at any time state when and how long?
A I have been at Fort Smith, not to live, I was there to work, my home being at Oolagah all the while; I was there I think about eight or ten months at one time that I wasn't back home, and at another time three or four months, and I have been there since back and forth in the last four months a couple of times, just have work over there; I have a place there now.
Q What kind of work were you doing there? A Part of the time working in a restaurant and part of the time in a private family.
Q You had to work for a living, you had no other means of support?
A Yes sir, I have to work for my living; I have no other means of support.
Q Your husband doesn't support you? A No sir.
Q Your husband states that he knew you lived with you two days once and three or four days another time; how long did he actually live with you? A After we were married, before he left home I think he stayed there about four days.
Q Then where did he go? A To Oolagah.
Q What was his business? A He was expecting to be elected City Marshal there.
Q Do you know whether he was elected or not? A He was, they said he was.
Q Then did you and him live together any length of time after that?
A No sir, we were together after that at my sister's .
Q How long? A He was there one night.
Q Did he and you occupy the same bed room and what? A We did.
Q That was after you had heard of this talk that he claims about your having sued for a divorce? A It was.
Q Had you ever applied for a divorce? A I had not.

Q Never been divorced? A No sir.
BY MR. HASTINGS:
Q Never been married since? A No sir.
Q You did work at Fort Smith some did you? A Yes sir, I worked there.

BY MR. CALLAWAY: We submit the case, with permission to file brief.

BY COMMISSION: The attorney for theapplicant and the representative of the Cherokee Nation present submit the case, and same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant this day requests and will be granted 15 days in which to file a brief in the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, July 9th, 1902.

In the matter of the application of Ella Bray for the enrollment of herself as a citizen by intermarriage of the Cherokee nation.

Appearances:

Cherokee nation appears by W. W. Hastings.
Applicant appears in person.

Supplemental to D-776.

ELLA BRAY, being duly sworn, testified as follows:
Examination by the Commission.

Q. What is your name? A. Ella Bray.
Q. What is your age? A. 26.
Q. What is your post office address? A. Muskogee at the present time.
Q. How long have you been residing in Muskogee? A. 4 months.
Q. Are you an applicant before the commission for enrollment as a citizen by intermarriage? A. Yes, sir.
Q. What is the name of your husband through whom you claim the right to enroll? A. John Bray.
Q. Was John Bray known by any other name? A. I have heard that he was enrolled as John Falling.
Q. Did he ever tell you that he went by that name? A. No, sir.
Q. You don't know them of your own knowledge, do you? A. Why, only just by what I heard. I know his step father. His step father enrolled him as such, I have been told.
Q. From whom did you hear that he enrolled him as John Falling?
Q. Why, I won't be sure. I wrote at the time they were taking names for the Cherokee payment--just after. I went before the commission or census takers. I couldn't enrolled so I wrote to Mr.--I forget his name now. I wrote to a friend of his. I forget his name.
Q. What did he tell you? A. He was in a little town just above Claremore.
Q. Was it Collinsville? A. No, sir.
Q. What did his friend tell you? A. He just write me that he was enrolled on the 1896 payment or 1880 rolls as John Falling.
Q. When were you married to him? A. Married in November, 1896.
Q. How long did you know him before you married him? A. About 9 or 10 years, I guess. May be longer than that.
Q. During that time had you ever heard him spoken of as John Falling? A. No, sir; he never did go by that name that I know of only his step father enrolled him that way.
Q. Do you know why he enrolled him that way? A. The way I understood it his step father enrolled him and his sister--his sister both-- his step father enrolled them that way.
Q. What is the name of his step father? A. Why, his name is John Falling.
Q. About how old is your husband? A. He is now about 31 o r 32 I guess.
Q. Was he living with his step father John Falling when this 1880 roll was made? A. I am sure I don't know. I understand that he was.
Q. When did you and your husband separate? A. It has been about one years.
Q. Have you remarried since that time? A. No, sir; I have not.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this .... day of July, 1902.

E. J. Rustin
Notary Public.

57

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, July 17th, 1902.

In the matter of the application of Ella Bray for the enrollment of herself as a citizen by intermarriage of the Cherokee nation.

Supplemental to D-776.

Appearances:

Applicant appears in person.
Cherokee nation by W. W. Hastings.

SARAH MAYFIELD, being duly sworn, testified as follows:
Examination by the Commissioner.

Q. What is your name? A. Mayfield.
Q. What is your given name? A. Sarah.
Q. How old are you? A. 64.
Q. What is your post office address? A. Oolagah.
Q. Are you acquainted with the applicant in this case, Ella Bray?
A. Yes, sir.
Q. How long have you known her? A. Well, I have knowed her ever since she was a child. How old she was I can't tell you. She was just a little girl.
Q. Do you know her husband? A. Yes, sir.
Q. What is his name? A. John Bray.
Q. Was he ever known by any other name besides John Bray?
A. Not that I know of.
Q. Who was his father? A. A man by the name of Bray. I forget his given name. I knew him well. I knowed him when John Bray's mother and him was living together.
Q. Did the parents of John Bray ever separate or did John Bray's father die and his mother remarry? A. Yes, sir.
Q. Who did she marry? A. Married a man by the name of Falling.
Q. Is that the step father of John Bray? A. Yes, sir; the step father of John Bray. Yes, sir.
Q. Do you know how old John Bray was when his mother married Falling? A. No, sir; I couldn't tell you that.
Q. Was he a man? A. No, sir.
Q. About how old is John Bray now--just about how old? A. He must be about 30, I think.
Q. Do you know how long ago it was his mother and Falling married?
A. No, I couldn't tell you. It was quite a while. I know he wasn't grown yet.
Q. He was but a child? A. Well, a young man. Yes, he was a young man.
Q. Did he live with his step father and mother? A. I think he did.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this ... day of July, 1902.

... Notary Public.

Cherokee D-776.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 28, 1902.

In the matter of the application of Ella Bray for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation; she being sworn and examined by the Commission, testified as follows:

Q What is your name? A Ella Bray.
Q How old are you? A Twenty-seven years old.
Q What is your postoffice? A Colegah.
Q Are you an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A I am.
Q What is your husband's name? A John Bray.
Q Is he living? A Yes sir.
Q Is he a citizen by blood of the Cherokee Nation? A Yes sir.
Q When were you married to John Bray? A I was married to John Bray in November, '95.
Q What day of the month do you remember? A November 29th.
Q Were you ever married before you married John Bray? A No sir.
Q Was he ever married before he married you? A No sir.
Q Have you and John Bray lived together since your marriage up until the present time? A No sir, we have not.
Q You are separated? A Yes sir, we are.
Q When did you separate? A We separated in '96, only lived together a short time.
Q What was the cause of the separation? A He just got up and left home and he never did say why he left.
Q Where were you living? A At Pryil.
Q In the town or on a farm? A We were on a farm at the time he left.
Q On whose farm were you on? A His mother's place.
Q Were you living with his mother? A No sir, his mother was dead: the place belonged to,-as I understood, belonged to the heirs.
Q Was anybody living at the house where you and he lived? A Just he and myself and a girl was with me.
Q Where did he go when he left? A He went to Colegah.
Q Did he tell you he was going to leave you? A He told me he was going to Colegah, there he was expecting to be elected City Marshal, but didn't tell me he wasn't coming back.
Q How long did you stay at the house after he left? A About three weeks.
Q He never came back during that time? A No sir, he didn't.
Q Did he ever send you any word? A He wrote me two or three letters during that time.
Q He didn't indicate in those letters that he had left you for good? A No sir, he didn't.
Q Did you ever see him after he left? A Yes sir.
Q How long after he left before you saw him? A Three months afterwards.
Q Where did you see him? A At Colegah.
Q Did you have any talk with him? A It was more than three months before I talked with him: I had a talk with him then.
Q Did he tell you why he went off and left you? A No sir, he didn't, there was very little said about it.
Q Did you ask him why he left? A No sir, I didn't.
Q Had he ever since then come to you and made any explanation at all? A In our talk at the time I offered to live with him again in case he got a house and fitted it up: in case we got a house.
Q He was to let you know? A Yes sir, he was to get the house as quick as he could.
Q Did he ever let you know? A He didn't.
Q And he never made any further explanation why he left so long? A No sir.
Q And he never since then has supported you in any way? A No sir, he hasn't.

Q Have you been divorced from him since then? A No sir.
Q Has he ever applied for divorce that you know of? A No sir.
Q So you have never marrid since your separation from Bray? A No sir.
Q In the eyes of the law you were still his wife on the first day of September, 1902? A Yes sir.
Q And are yet? A Yes sir.
Q Mrs. Bray, did your husband ever go by any other name than Bray?
A I understand that he is on the 1880 roll as Falling, but he never did go by that name.
Q Who told you he was on the 1880 roll as Falling? A His relations all seem to know the fact and have told me; I got it through them.
Q Do you know a man by the name of Frank Mayfield? A Yes sir.
Q Where does he live? A At Oolagah.
Q What business is he in? A He is a farmer.
Q Did he live anywhere near you when you and Mr. Bray were living together? A No sir, he lived about sixteen miles from where we lived.
Q Was Frank Mayfield in the neighborhood there when you separated?
A No sir, he wasn't.
Q Does he know anything about why Bray left you? A No sir, not as I know of; he says he does not know anything.
Q Did you ever have a talk with Frank Mayfield about it? A Yes sir, we talked about it at different times.
Q What is his business? A He is a farmer.
Q How old a man is Mr. Mayfield? A Well, I really don't know, between thirty-five and forty.
Q Where have you lived since you separated from Bray? A In the territory, Oolagah has been my home ever since.
Q You have been living right in the town of Oolagah all the time? A No sir, first one place and another: that has been my home.
Q Any of your people live in Oolagah? A I have a sister there.
Q What has become of John Bray - where is he now? A Well sir, I couldn't say, I suppose he is at Oolagah.
Q How long since you heard of him? A I heard of him yesterday.
Q Do you know whether he has made an application to be enrolled or not? A Yes sir, he is enrolled I understood.
Q Do you know what name he applied to be enrolled under? A John Bray. In fact I knew he was, he had to prove that he was the same man that was on the 1880 roll as John Falling; he had to prove that.
Q Have you lived in the Cherokee Nation ever since your marriage to Mr. Bray? A My home has been in the nation; I have been out three or four different times at Fort Smith.
Q How long would you stay out at a time? A About eleven months that I wasn't back home.
Q What year were you out eleven months? A I believe it was in '97.
Q What time in '97 did you go out, do you remember the year? A In the spring, possibly April.
Q And you stayed out about eleven months? A Yes sir, just about that I guess.
Q What were you doing in Fort Smith? A Working.
Q When did you come back to the Cherokee Nation? A I came back in November.
Q November the same year? A Yes sir, it wasn't eleven months: that was the month I came back and went to Claremore when the Commission was there, I don't remember the year.
Q It wasn't in '97 was it, it was in 1900? A That is right 1900.
Q Was that the first trip out after your marriage? A Yes sir.
Q And you are sure it was the year that the Commission was enrolling at Claremore? A That was the year, yes sir; it was all in the same year that I was out.
Q When you came back you went before the Commission and applied for enrollment? A Yes sir.
Q And that was in November, 1900, when you applied? A Yes sir.
Q How long had you been back when you applied? A I was only back a short time.

3-Ella Bray-

Q When you applied to the Commission in November, 1900, you had just gotten back to the territory? A Yes sir, had just gotten back.
Q How long have you been out? A Since April before.
Q So you went out in April, 1900, and returned about the first of November, 1900? A Yes sir.
Q Is that the first time you went out of the territory after you were married? A That was the first time I was out of the territory since I was married.
Q Where have you been since November, 1900? A I have been part of the time in Fort Smith; I have been backward and forward four different times since, Fort Smith and here; I never moved out.
Q How much of the time since 1900 have you spent in the territory? A I spent the most of my time here since I was out those eleven months.
Q A while ago when you said you were out in '97 was that a mistake? A That was a mistake I made in the year.
Q So you didn't go out until 1900? A Not until 1898.
Q You said you come back when the Commission was at Claremore? A That is when I come back.
Q That was in November, 1900? A That is when I came back.
Q When did you leave? A In 1898.
Q You were married in 1895 you say? A Yes sir. I made a mistake in the first part it was in 1898.
Q You were out in the year 1898? A Yes sir.
Q And you came back in the same November? A Yes sir, of the same year.
Q And then you went out in 1900 did you? A I don't remember, I have been out several times.
Q You told me a while ago that you had just gotten back when you went before the Commission to enroll? A Yes sir.
Q At Claremore? A Yes sir.
Q And that was in November, 1900? A Yes sir. I remember the mistake I made right there.
Q How was that the first time you had ever been out? A Yes sir, that was the first time I had been out.
Q So your first trip wasn't made out in '98 or '97 either? A It was made out in 1898.
Q And you stayed from '98 in Fort Smith until 1900 when you come here to enroll, did you? A Really I have forgotten all about it.
Q You went before the Commission at Claremore to be enrolled? A Yes, it was there.
Q That was in November, 1900? A Yes.
Q How long had you been away before you went before the Commission?
A From April I was away.
Q April what year, the Commission wasn't at Claremore in 1898? A I was there in November, 1900.
Q Now you said you applied to the Commission in 1900? A Yes sir.
Q When did you go away from the territory before you applied? A In April before.
Q That would be April, 1900? A Yes sir.
Q Was that the first time you had ever gone to Fort Smith? A Yes sir.
Q Are you sure about that? A I am pretty positive about that was the first time.
Q That was two years ago? A Yes sir.
Q Now, after you made application in 1900 did you go back to Fort Smith? A Yes sir.
Q How long afterwards? A I don't remember just how long.
Q For several months? A Possibly so.
Q How long did you stay in Fort Smith that long? A I think I stayed there about two months and maybe not so long.
Q Where did you go to after you left Fort Smith? A Colagah.
Q How long did you stay at Colagah that trip? A I don't remember.
Q Were you there several weeks or a month? A Yes sir, I think so.

4-Ella Bray-

Q Then did you go back to Fort Smith again? A I believe I did, yes sir.
Q How long did you stay at Fort Smith that trip? A I think I stayed there about three months.
Q When did you come back to Gulagah? A Yes sir.
Q How long did you stay in Gulagah then? A I didn't stay very long at that time.
Q Then where did you go? A I came to Muskogee.
Q How long did you stay in Muskogee? A I was in Muskogee five or six months.
Q Where did you go from Muskogee? A Clarenore from Muskogee.
Q How long did you stay there? A I stayed three or four weeks.
Q Then where did you go? A Then went to Colagah.
Q How long did you stay in Gulagah at that time? A In Colagah a week.
Q Where did you go from Colagah? A To Vinita.
Q How long did you stay in Vinita? A I stayed in Vinita about five or six weeks I think.
Q Were did you go from Vinita to Fort Smith? A I went back to Colagah.
Q Have you been in Gulagah ever since? A Yes sir.
Q So since you married Mr. Bray you made three trips to Fort Smith?
A About so, yes sir.
Q And the longest one you stayed about six or eight months? A Yes sir.
Q From April to November? A Yes sir.
Q Well, the second time you stayed about three months? A I think so, I don't remember the time.
Q And the third trip you stayed about two months? A Possibly the second trip about two months and the last trip about three, not a great while either time.
Q Now the business of the three you spent in the Indian Territory have you? A Yes sir, and I was out each time and working. It is hard for me to remember, I changed around from one place to another; I can't remember all three times.
J.C.Bloom: Where were you living when this separation took place?
I was living at Bagwell.
Q How far from Bagwell? A It was possible two and a half miles, may be not quite so far and may be further.
Q Who were your neighbors at that time? A Mr. John Lynch and Mrs. Kettie Thornhill, we call her Aunt Kate.

It is ordered that a copy of the testimony taken in the matter of the application of John Bray, No. 4859, be filed and made a part of the record in this cause.

Katie Langston, being duly sworn and examined by the Commission, testified as follows:
Q What is your name? A Katie Langston.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q What is your particular? A Cherokee.
Q How old are you? A Thirty-nine years old.
Q Do you know William Bray who is an applicant for enrollment as an intermarried citizen? A Yes sir.
Q How long have you known him? A I have known her ever since '96.
Q Is he a white woman and have claim any Cherokee blood? A No sir.
Q Do you know her husband John Bray? A Yes sir.
Q Is he a Cherokee by blood? A Yes sir.
Q Is he any relation of yours? A He is my brother, my sister's son.
Q What was your mother's name, the mother of John Bray? A Her name
at the time of her death was Susan Pulling.
Q When did she die? A She died in '98.
Q Had she been married before she married Pulling? A Yes sir.
Q What was her first husband's name? A Nathaniel Bray.
Q When did your mother's husband Bray die? A I don't know, he
has been dead a long time.
Q Had he the husband the first full was made? A Yes sir, he died
when John was a little child.

5-Ella Bray-

Q Then did she marry a man by the name of Falling before Bray? A Yes sir, she married George Falling.
Q Was he a white man or Cherokee? A He was a Cherokee.
Q Did this newphew of yours, John Bray, ever go by his step-father's name when he was a child? A Yes sir. There was two children by Bray, Julia Bell and John Oscar I believe is his name, but I don't know they were registered that way: I think George put down Bell as Julia Bell Falling and John's name as John Falling. I think is the way he registered him. I wasn't there at the time he registered but I think that is it.
Q Do you know when your nephew John Bray was married to the applicant here, Ella Bray? A Married in '95.
Q You weren't present at the marriage? A No sir.
Q Do you know anything about their separation at all? A All I know about it is he went off and left her.
Q Did he go off and leave her? A He went and left her: he went to Oolagah to be City Marshal: I wasn't right there, I was living close to them.
Q You found after he was away that he had gone? A Yes sir.
Q You didn't know anything about their having any falling out or anything? A No sir, I don't think they had any falling out: if they did I never heard either one of them say so.
Q John Bray has never married any other woman since he separated from this woman has he? A Yes, I heard he was married again.
Q When did you hear he was married again? A It has been about two months since I heard it.
Q You don't know whether he ever has gotten a divorce from this wo an or not? A I know he has never gotten any divorce.
Q Did you ever talk to John Bray about he and his wife's separation? A Well I asked him when they first separated, the first time I saw him after he came from Oolagah, he was there three or four months before I saw him, and I asked him what made him quit Ella and he said just for fun: he never would tell me. The way I heard he was married again, that they had he and his wife separated: I don't know how true it was.
Q His last woman? A Yes sir, that is how I heard he was married.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 26th day of November, 1906.

Notary Public.

Cherokee D-1012.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 28, 1903.

In the matter of the application of Walter L. Bates for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Walter L. Bates.
Q How old are you? A Thirty-four years old.
Q What is your postoffice? A Tahlequah.
Q Are you an applicant for enrollment as an intermarried citizen?
A Yes sir.
Q What is your wife's name? A Mollie Bates.
Q Is she living? A Yes sir.
Q Is she a Cherokee by blood? A Yes sir.
Q When were you married to your wife, Mollie Bates? A In '94.
Q Married under a Cherokee license? A Yes sir.
Q Have you filed your license? A Yes sir.
Q Were you ever married before you married, Mollie Bates? A No sir.
Q Was she ever married before her marriage to you? A Yes sir.
Q How many times had she been married when you and she were married?
A Once.
Q What was her first husband's name? A Sukey Sanders.
Q Was he living or dead when you and your wife, Mollie, married?
A He was dead.
Q She is your first wife? A Yes sir.
Q You are her second husband? A Yes sir.
Q Have you and she lived together from the time of your marriage up to the present time? A Yes sir.
Q Never have been separated? A No sir, never have been separated at all.
Q You and she living together on the first day of September, 1902, as husband and wife? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to your wife, Mollie? A Yes sir.
Q Never lived out of the nation since your marriage? A No sir, never lived out.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

L L Rotherwood

Subscribed and sworn to before me this 28th day of November, 1903.

D B Jones
Notary Public.

To be filed in Cherokee D-775.

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T., October 24th, 1900.

In the matter of the application of John Bray for enrollment as a citizen of the Cherokee Nation: said Bray being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name, please? A John Bray.
Q How old are you? A 36 years past.
Q What is your post office? A Claremore.
Q Do you live in Sequoyah co district? A Yes, sir.
Q This is it your want to have put on the roll? A Just myself.
Q Are you Cherokee by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father? A Artemoch Bray.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Sarah J.
Q She is dead is she? A Yes, sir.

Applicant: My name is down on the 1880 roll with my step-father, Falling.

1880 Roll: page 757, #685, John Falling, Tahlequah.
1896 Roll: page 1138, #211, John Bray, Tahlequah.

Com'r. Breckinridge:—The applicant is identified on the roll of 1880 under the name of his step-father and with his mother. He is also identified on the roll of 1896. He has lived in the Cherokee Nation all his life. He is a Cherokee by blood and he will be listed this for enrollment as a Cherokee by blood.

———oooOOOooo———

J. O. Rossom, duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rossom.

Subscribed and sworn to before me this 25th day of October, 1900.

C. F. Breckinridge
Commissioner.

The stenographer, being duly sworn, states that as stenographer to the Five Civilized Tribes he made the above copy and that it is a true and correct copy of the original.

Subscribed and sworn to before me this 7th day of November, 1902.

Notary Public.

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UNITED STATES

VERSUS

John Day

CERTIFIED COPY OF JUDGMENT, SENTENCE,

AND ORDER OF COMMITMENT.

Form No. 301.

CERTIFIED COPY OF JUDGMENT, SENTENCE, AND ORDER OF COMMITMENT.

United States of America,

INDIAN TERRITORY }
Northern } *District.*

Tuesday *Morning,* nine *o'clock,* November 18 A. D. 1902

Court met pursuant to adjournment. Present, the Honorable Joseph A Gill

Judge of the United States Court for said District.

UNITED STATES } No. 4

vs. } *Indictment for* Adultery

John Bray } IN THE INDIAN TERRITORY

On motion of Pliny L Soper, Esq., Attorney for the United States Court for said District, the said defendant John Bray was brought to the bar of the Court in custody of the Marshal for said District, and it being demanded of him what he has to offer or can say why the sentence of the law upon his plea of guilty heretofore entered by him ~~by the Jury~~ in this cause on the 17" day of November A. D. 1902 shall not now be pronounced against him, he says he has nothing further or other to say than he has heretofore said.

Whereupon, The premises being seen, and by the Court well and sufficiently understood, it is considered by the Court here that the said John Bray for his Crime aforesaid be imprisoned in the penitentiary situated at St Leavenworth Kansas for the term of the period of Eighteen Months and that he pay to the United States of America the sum of ——— Dollars, together with all the costs and charges of this prosecution laid out and expended, and that they have execution therefor. Sentence to begin November 18 A.D. 1902

And it is further considered, That the Marshal of this Court in whose custody the said John Bray now is, be authorized, required and safely keep and convey the said John Bray to said penitentiary without delay, and deliver him there duly certified copies of this judgment and sentence, which receive and safely keep the said John Bray in said penitentiary in execution of the sentence aforesaid, and in compliance with the statute in such case made and provided. In the same manner as

And it is further ordered That the Clerk of this Court furnish the Marshal of this Court with two duly certified copies of this judgment and sentence and order, one of which shall be delivered to the keeper of said penitentiary, and the other returned to the Marshal of this Court, with a full and true account of the execution of the same.

I Chas A Davidson, Clerk of the United States Court in the Indian Territory, Northern District, hereby certify that the foregoing is a true and correct copy of the judgment, sentence and order in the above entitled cause, as the same appears of record.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Tishomingo in said Indian Territory this 19th day of November A.D. 1902

Chas A Davidson Clerk.

By A Thatcher Deputy.

Received, at the

penitentiary at

this day of , A. D. 189 ,

from , Marshal of the

United States for the Indian Territory, District,

the body of the within-named defendant

, together with a copy of this writ.

I certify that I have, in obedience to the within copy of judgment, sentence, and order of commitment, delivered the within-named , together with a copy of the within copy of judgment, sentence, and order of commitment, into the custody and hands of the Warden of the penitentiary at , on the day of , 189 , and have his receipt therefor indorsed thereon, as within I am commanded.

U. S. Marshal for the Indian Territory. *District.*

By , *Deputy.*

UNITED STATES

CERTIFIED COPY OF JUDGMENT, SENTENCE, AND ORDER OF COMMITMENT.

FILED

NOV 25 1902

Clerk

Cherokee D-776.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Ella Bray as a citizen by intermarriage of the Cherokee Nation.

DECISION.

--:o:--

The record in this case shows that on November 10, 1900, Ella Bray appeared before the Commission at Claremore, Indian Territory, and made application for her enrollment as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 26, 1901, and at Muskogee, Indian Territory, on March 10, 1902, July 9, 1902, July 17, 1902, and October 28, 1902.

The record of the proceedings had in the matter of the application of John Bray for enrollment as a citizen by blood of the Cherokee Nation, Cherokee Case No. 4868, is filed with and made a part of the record herein.

The evidence shows that Ella Bray was lawfully married on November 25, 1895, to John Bray, a Cherokee citizen by blood, who is identified on the Cherokee Authenticated Roll of 1880.

The evidence further shows that four or five days after said marriage, John Bray left and abandoned his said wife. The evidence further shows that, subsequent to said abandonment, Ella Bray continued to live in the Cherokee Nation, and was a resident therein on June 28, 1898. It is further shown that she has not been divorced, or had not remarried, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Ella Bray should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this is JAN 15 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulue Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	230
Mary A. Wilkie	248
John W. Thurman	263
Scott Harlow	294
Emma Phillips	297
John Whisenhunt	330
Tilman Chance	373
Thomas A. Sheffield	396
Vester C. Martin	399
William Grigsby	417
William J. Largen	395
Joseph P. Willis	394
James T. Miller	395
George A. Waters	402
Jenette Messer	405
Joseph A. Patton	420
Benjamin G. Holland	393
William Gordon	395
Maggie Patterson	406
Martha M. Bruner	402
Emma Morris	403
Susie Frushiller	407
John F. Carden	401
William H. Bruner	407

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1280
Rosa E. Fargo	1289
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malsa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1825
John H. Welty	1847
Edward P. White	1864
Lauren P. Green	1867
Charles Rosser	1886
Fay Adair	1913
Henrietta Irving	1939
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2040
James N. Whisenhunt	2108
Hiram Stephens	2137
Asa L. Guinn	2139
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2282
Dona A. Frazier	2312
Laura B. Cordrey	2330

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Lonie K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Elias O'Field	2977
Margaret Seagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryno	3193
Elias Henderson	3196
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCanish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J Kinney 4225
Sydney E Bell 4232
Isaac H Jordan 4235
Charles Parks 4244
Dora Frenchman 4262
James R Figure 4275
Maud Adams 4277
Elizabeth Black 4281
Anna Thornton 4294
Robert T Morrison 4294
Perley Israel 4295
William A Long 4304
Mollie Swanmook 4319
Frances Guess 4326
Allen H Gibson 4327
John McFall Jr 4343
Albert W Fuzzammons 4360
George S Lord 4386
Quinn Carr 4387
William A Powell 4390
Austin Huston 4400
Anna Bible 4414
Elizabeth Riley 4428
John P Sudderth 4440
Anderson Keen 4450
Ida M Adams 4451
Martha J Randal 4457
Mollie Comer 4477
Jane McGhee 4491
Jennie Riley 4525
Hannah Randall 4528
Charles W Chilton 4542
Nannie B Riley 4543
John W McIlhany 4544
Minnie Armstrong 4549
Ada Chapman 4560
Mary Thompson 4571
Ota Armstrong 4593
Mary Spencer 4594
Charlson F Woods 4603
James M McConnell 4604
Annie E Coker 4605
Jennie Long 4606
Julia Gilsrap 4607
Laura E Smart 4609
Annie Nicholas 4620
Minnie R Tuttle 4631
Mary E Rogers 4634
Emma Downing 4635
William Moore 4639
Roxie J Ketchum 4623
Lizzie Love 4626
Robert K Wann 4632
Frederick Metzner 4633
John C Bratcher 4634
Pigrow L Jones 4641
Ada Bertholf 4642
Alice Robbins 4644
Jane Dougherty 4649
Samuel Francis 4650
Clemon C Peek 4652
Mont C Frazier 4653
Frank J Mayberry 4656
Charles W Moore 4660
Jefferson D Edmondson 4661
Alonzo H Boone 4662
Thomas C Mock 4668
Sallie Allison 4669
Elizabeth E Burgess 4671
LaFayette Breeden 4673
James M Boling 4676
Frances A Neilson 4681
John F Smith 4689
Rufus S Steward 4691
John I Haddock 4694
Maggie O Walkley 4695
George W Talbert 4698
Mary Miller 4700
Henry C White 4707
Mattie E Hill 4760
Alice V Bible 4772
Katie Coker 4785
John Creek 4801
Ruby R Bean 4804
William J Dodson 4836
Blackburn Reed 4882
Viola Lowther 4891
William B Ritchson 4910
Henry D McDonald 4950
Della McDaniel 4956
Dorothy Rattlinggourd 4991
Ida McCay 5093
Henry M Lyon 5100
Alice J Wofford 5101
Nancy Morris 5137
Ella Sullivan 5140
Winfield Williams 5144
Bessie M Smith 5145
Mav Humphrey 5207
Donnie Burgess 5285

Nora B. Burgess 5236
John E. Efter 5239
Harriette Rogers 5240
Amanda Foreman 5244
William H. Wells 5261
John T. Gaylor 5266
Annie Sweeten 5269
Rosalee Hendricks 5278
Emma Chambers 5328
James H. Thomas 5329
Melville B. Baird 5332
James R. Goodall 5356
Charles Horton 5390
James W. Goddard 5417
Dora Cox 5425
Nannie G. Alberty 5438
Sallie Ward 5455
William H. Sutherlin 5484
Lizzie Hall 5487
Cyrus B. Essex 5489
Eda Taylor 5493
Laura Taylor 5494
Elector D. Miller 5496
Emberson M. Arnold 5498
Stella Henry 5499
William E. Oneal 5506
John M. Sharp 5509
John L. Davis 5514
Sarah E. Downing 5518
Samantha C. Glass 5524
Harry Jones 5525
Aggie Paris 5532
James W. Hallford 5535
Phoebe Coker 5537
Anthony K. Douglas 5538
Joseph H. Johnson 5541
Harvey O Riggs 5547
Alice Glass 5553
Addison Reeves 5566
Alice Coats 5572
Julia Kidd 5575
William R. Greer 5576
Rosa M. Sixkiller 5581
Nancy Inlow 5587
Daisey H Owen 5599
Annie R C Owen 5600
Jesse McKnight 5602
Cicero J. Strange 5610
Henry Westenhaver 5611
Emma H. Roach 5612
William A. Polson 5613
Paulina P. Pitcher 5614
Charley Headrick 5615
William N. Stinson 5616
Lenora A. Henry 5621
Effie M. Adams 5622
John H. Shimp 5624
Thomas B. Dickson 5625
Minnie Henry 5628
Thomas J. Simpson 5629
Cap L. Lane 5630
Reuben E. DeLozier 5631
John Heape 5640
Perry G. Brock 5645
Mary J. Newcomb 5650
George W. Seigel 5660
Martha A. Parks 5666
Zelda C. Mills 5674
Lizzie Rogers 5675
Emma Pigeon 5676
Nellie Bluejacket 5677
Lucy Bacon 5679
Thomas B. Wood 5681
Asa W. Simerson 5683
William J. Kuhn 5686
Elsie Couch 5688
William H. Robinson 5692
Rachel Washington 5693
Isaiah B. Blackwood 5700
John R. Johnson 5701
Dennis W. Smith 5702
William H. Chesnut 5705
William H. Durham 5707
Albert B. Buckmaster 5710
Maud Crutchfield 5730
Joseph S. Layne 5731
Lena Bell 5737
Juan N Corn 5748
Robert N. Crafton 5750
Benjamin F Coffee 5756
Frank McSpadden 5769
Charles D. Pendleton 5775
Harden H. Green 5776
Emma J. Ward 5778
Robert C. Fuller 5781
Henry F. Extine 5798
Ida Wyly 5802
Richard L. Fite 5815
Edward Lutz 5816
John F. Woodworth 5839

Horace H. Huddlestun 5832
William R. Sartain 5837
Joseph A. Lawrence 5843
William H. Hinton 5846
Joseph Lehr 5851
Euin M. Young 5852
Mary C. Barnes 5853
Matilda Thompson 5861
William W. Young 5872
Earley F. Ellis 5874
Rosa B. Alberty 5877
Sarah Cannon 5879
Mamie Beck 5887
Jack H. Merchant 5888
John D. Merchant 5889
Sarah E. Ghormley 5894
Jerry Young 5906
James H. Brickey 5916
Mary Hicks 5919
George W. Weems 5922
Albert Crain 5923
James M. Jones 5932
Alfred W. Shelly 5935
John M. Stratton 5936
Waddie Hudson 5937
Robert C. Johnson 5939
Mary T. Thompson 5941
Edith A. Parris 5943
Addie Hubbard 5949
John A. Lowry 5962
John R. W. Brantley 5963
James T. Carroll 5964
Christopher F. Jordan 5965
Minerva E. Stover 5966
John W. Twilley 5967
Joseph W. Mounce 5970
Cornelius P. Potter 5971
Amanda C. Thompson 5972
John M. Rusk 5976
Harrison L. Hughes 5978
Silas B. Dildine 5983
Lewis M. Payne 5985
Nancy Beamer 5988
Sarah F. Selvidge 6002
Posy F. Buckner 6005
John A. Moreland 6010
Alice Welch 6015
Mary C. Thompson 6022
Ida Beck 6029
William R. Tittle 6030

George C. Duffield 6031
Amelia Reese 6033
Alexander West 6036
John Tootle 6037
Florence G. Langley 6038
John T. Ham 6042
Mary L. Jordan 6048
John W. Bradshaw 6076
James L. Dean 6079
Amanda J. Thompson 6082
Malissa Hubbard 6089
Jane Benge 6111
John D. Ryals 6113
John C. DeLozier 6117
Jessie Willis 6118
Mary A. Clark 6124
Mary J. Tipton 6126
Leander Newton 6136
William A. Qualls 6138
Henderson B. Thomas 6144
Hugh T. Watkins 6163
Nancy Keys 6172
Berry Hutchins 6186
Eli Parker 6189
Sarah E. Shaw 6194
Julia Keys 6211
Boon J. Grey 6214
John Grubb 6216
William M. Costephens 6230
Jane Bean 6232
Lillie I. Taylor 6236
Abbie B. Adair 6239
Mack C. Watkins 6246
Robert W. Murray 6261
John G. Petty 6269
Lucinda Poorboy 6270
Sarah Mayes 6286
Henry W. Pyeatt 6300
Isaac A. Wilson 6308
John T. Hall 6310
Edward L. King 6315
Katie Still 6325
Emmer Carlile 6338
Bird Webster 6347
Fannie Morris 6353
Leonard Lee 6357
James R. Miller 6362
James Brackett 6370
Nora Allen 6371
John T. Washington 6373

James J. Snider 6375
William H. Winget 6376
Ida R. Wilkerson 6383
George A. McBride 6385
Matilda Cookson 6387
William A. Fisk 6392
William O. Ames 6394
Thomas Wilkerson 6396
Alice C. Springston 6407
Fanny N. Witt 6413
Lillie M. Adair 6424
Mark F. Matheson 6428
Ida L. Wilson 6431
George E. Marrs 6441
Ulysses S. Reeves 6443
Daniel A. Smith 6447
Henry J. Dawson 6450
Sarah Adair 6452
Ida F. Wilson 6455
Mary E. Taylor 6459
Catherine Henson 6468
Charles C. Fitzsimmons 6471
Mary E. Campbell 6476
Columbus N. Long 6478
Mary Wilkerson 6480
Myrtle Ward 6484
Belle Manus 6499
Martha E. McLain 6508
Mary A. Brown 6517
Marion M. Ballew 6530
Mellie Mayfield 6540
Sarah Blevins 6541
Frank Powell 6542
Georgia Jackson 6546
Leonard S. Simpson 6549
Almira Usrey 6560
James McInerney 6561
Fannie Carlile 6578
Sadie A. Mayfield 6580
Silas A. Bryan 6581
William S. Martin 6585
Emma J. Thompson 6590
Lydia McDaniel 6593
David W. Lamb 6595
Gus R. Hart 6603
Poca Phillips 6632
Lois E. Daniel 6678
William W. Turner 6690
Lillie B. Blackstone 6714
Mary Lillard 6715

James L. Lee 6717
Rosa Phillips 6723
Kate Brown 6735
Laura B. Barnett 6743
Elizabeth Sanders 6745
William T. Neff 6747
William R. Scott 6751
Laura Fish 6770
Maggie Ketcher 6779
Dora A. McDonald 6783
Rosia B. Willis 6785
Daniel Hubbard 6787
Mary R. Tadpole 6801
Magnus A. Merlpaddern 6811
Sarah F. Pathkiller 6824
Clora Twist 6845
Mattie M. Welch 6846
Cora Griffin 6850
John S. Hyatt 6853
Jefferson K. Tyner 6855
Flora R. Miller 6859
Lizzie Craig 6872
Jacob C. Johnson 6876
George W. Ware 6897
James B. Deatherage 6901
Lucinda F. Hartness 6943
Frances E. Tehee 6961
James M. Burt 6965
Rady Tipton 6975
Laura Hendricks 6976
Laura V. Smith 6979
Lorenzo C. Darnell 6988
Robert M. Mitchell 7004
William Henry Reeve 7005
James Pyle 7009
Willie Hilderbrand 7015
Alice M. Roberson 7031
Charles Morris 7043
Minerva J. Treat 7051
John H. Keith 7078
Katie E. Ratley 7080
Etta Patrick 7081
Nannie Martin 7089
Rosa B. Harris 7094
Samuel Brown 7100
William H. Turner 7101
Florence Mayes 7104
Maggie McCoy 7112
Mary Belle Cauby 7113
Benjamin Bauer 7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Phariss	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomat	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Gond	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kiasay Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549

Robert B. Collins	7556
Nancy D. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8096
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brunner	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9480
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Hello Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Leeia E. Herrin	9854
Gailen E. Carnick	9855
Rena B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875

William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10004
Mary E. Palmour	10006
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setser	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10125	Millie A Carnes	10113
Ida L. White	10126	Lucy E. Robards	10114
Addie B Miller	10127	Edward H Fitzgerald	10115
William R Condry	10128	John T Pickard	10117
James D Canary	10129	Charles Evans	10118
John Kelley	10130	Nancy Mayfield	10123
Kate Craig	10133	Anna B. Tittle	10124
John A Butts	10134	Richard A Clark	10126
John J Dameron	10135	Emma B. Martin	10128
William Warner	10136	Walter E. Bates	10129
George A Allen	10137	Nellie Brewer	10130
Watie Shetley	10138	William Heffernan	10131
John E. Carter	10139	Levi Ackley	10132
John M. Boyd	10143	Bessie Davis	10133
William Fister	10147	Eva Bracket	10135
Darius B Troth	10149	Calvin Carnes	10136
Harry A Kelley	10150	Arthur M Waybourn	10138
Mary E. Purcell	10151	Minnie Shurr	10139
Myron L. Bronson	10152	Charles L. McClure	10140
George W. Taylor	10153	William W Russell	10141
Josie Lowther	10154	Della Jenkins	10142
Fannie D. Perry	10155	John A Hood	10143
Minnie B. Williams	10156	Otha Mayfield	10145
Solomon Copeland	10157A	Mary L Cloud	10146
Etha B. Wood	10159	Cadie Snow	10147
James Pace	10160	Lawrence W Lawrence	10148
Wiley B. McElhaney	10162	Ilona E. Hays	10150
Nancy Patrick	10163	Julia M. Schrimsher	10151
James R. Stout	10172	Pharnelia E. Lyman	10153
George Parker	10173	Charles F Tinkey	10161
Laura Morton	10174	Louisa J Palmour	10169
John D Kelly	10175	George L Walker	10170
Nettie Swift	10176	Annie Taylor	10171
Maggie Baldridge	10179	Jesse Winters Hall	10174
David R Stubblefield	10180	Alice Nichols	10181
Thomas J. C. Thompson	10181	Lennie Dye	10182
Cora P. Harlan	10182	Emma Murray	10183
William L. Singleton	10183	Jennie Winson	10187
Lester Evans	10184	Thomas Evans	10188
Ellen Mayfield	10185	Elizabeth J Watson	10192
Ella Bray	10186	Ellen J Price	10190
David J Matthews	10194	Elmer Still	10200
Thomas Brown	10199	Hannah E. Langley	10201
Houston J Payne	10201	Otto Keith	10203
Malinda E Scudder	10204	Thos A Terrill	10204
Henry Odell	10205	Lemuel A Parsons	10205
Fred Macy	10206	Samuel Shultz	10206
Mary Russell	10208	Mary E. Chisholm	10207
Thomas B Brown	10209	Robert M Hamilton	10208
Samuel L. Milligan	10211	John Billingsley	10209

Nannie Martin		10210	Joseph Reed	D	468
Sarah A. Fields		10214	Adolphus J. Hallum	D	483
Susie Henderson		10216	Alexander Walker	D	490
Charles H. Rienhardt		10218	Albert J. High	D	491
William H. Watkins		10221	America Matoy	D	501
Frank M. Rucker		10222	Moses L. Grazier	D	503
Henry C. Reed		10224	Myrtle Hall	D	509
Laura B. Timberlake		10226	Wallace Thursday	D	544
George A. Brown		10228	Thomas W. Baker	D	546
Drucilla Lowrey		10232	Mattie E. Keys	D	550
Almira Mouse	D	9	William S. Edwards	D	560
Lenora Prather	D	16	Susan L. Reed	D	572
Andrew M. Cooter	D	17	William H. Lyman	D	574
Martin L. Stokes	D	28	Gracia Davis	D	577
Peter Walters	D	44	Edward C. Bolen	D	582
Columbus M. Reeves	D	58	Dora Guthrie	D	585
Sarah Barnes	D	103	Samuel H. Hawkins	D	594
George T. Kiddy	D	108	Lula M. Purcell	D	600
Henry C. Agent	D	139	Ben Estes	D	603
Joseph Phipps	D	147	Thomas M. Reynolds	D	621
Henry Hilton	D	149	Arthur Dodge	D	622
David A. McGlamery	D	161	Carrie L. McNair	D	624
Maggie Doublehead	D	169	Constantine N. Walker	D	641
Annie Lovett	D	180	Joseph Davis	D	648
Nora Hood	D	184	Leander A. Keys	D	650
John A. Johnson	D	232	James J. Barndollar	D	655
Nathaniel G. Simpson	D	242	Nathan J. Brink	D	682
Oneico W. Head	D	244	William S. Miles	D	688
Etta Taylor	D	245	Emma Waybourn	D	698
Susan V. Sullivan	D	262	Dora E. Rogers	D	708
Levi H. Tackett	D	263	James W. Turley	D	709
William H. Connelley	D	264	Lizzie Ward	D	711
Julia A. Sullivan	D	284	Robert J. Holly	D	713
May Fields	D	297	Belle I. Quinton	D	728
Katie Hummingbird	D	308	Francis M. Boothe	D	734
William F. Sager	D	320	Amos W. Lord	D	748
Lovick P. Garrison	D	334	Agnes N. Childers	D	749
Henry Grubb	D	338	John E. Renfrow	D	752
Luey F. Lacey	D	340	William Coon	D	759
Callie Blevins	D	341	Louis Bruere	D	779
James S. Alfrey	D	355	Georgia A. Waybourn	D	786
Shadrack C. Wallen	D	368	Elisa Fields	D	787
Ada Hall	D	376	William H. Brown	D	788
Jane M. Hicks	D	396	William A. Cox	D	793
Fannie L. Dupree	D	403	Charles A. Robison	D	799
Willis Battles, Jr.	D	404	Artha Williams	D	800
Joshua W. Ellis	D	413	Adam Gearhart	D	806
Nina B. Owen	D	450	Cicero F. Rogers	D	855
John M. Ridenour	D	458	Annie Garrett	D	856
Emery S. Thompson	D	464	George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneekar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Haslewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McSherry	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Colher	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2786
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Packhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2825
William M. Stanley	D	2829
Sallie Tennessee	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2844
Mary Guthrie	D	2845
Lydia Long	D	2846
Edda Roberts	D	2847
Manda Ward	D	2848
Elmira J. Alberty	D	2849
Thomas C. Cordray	D	2850
Edward Fowler	D	2857
Dora Foreman	D	2858
Parker Holt	D	2860
John Haston	D	2860
Georgie Harlin	D	2861
Percillia Johnson	D	2862
Bettie Morton	D	2865
Samantha Spade	D	2867
Mariah Ward	D	2868
Ellen Watt	D	2870
Nora Morton	D	2880
Lizzie Anderson	D	2884
Francis Duval	D	2884
Wade S. Hayes	D	2887
James A. Hankins	D	2888
Joseph Hardee	D	2891
Tennie Ham	D	2892
Eveline Hall	D	2893
John E. Lefevrah	D	2895
Mattie Hanson	D	2901
John D. Calvard	D	2902
Charles W. Phillips	D	2903
Sarah Shanks	D	2909
Nettie Young	D	2909
Jerry P. Sikes	D	2910
Almadie Ham	D	2912
John S. J. Fowler	D	2915
Lenner Hood	D	2916
James D. Jackson	D	2917
Emma G. Nelson	D	2918
Alice Simco	D	2919
George O. Wallace	D	2920
Fannie Clay	D	2925
Ellen Dove	D	2929

Lee Fish	D	3081	Della Baldridge	R	105
Homer Gray	D	3082	Samuel Richey	R	107
Lula Park	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Lewe	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Minnie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosanna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the case of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
HENRY L. DAWES.
TAHLEQUAH.
THOMAS B. CRONIN.
C. R. BREVARD.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Fort Gibson, Indian Territory, April 3rd, 1901.

Received of The Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Ella Bray for enrollment as a citizen of the Cherokee Nation.

A. M. Callaway

Attorney for the Applicant.

#D-776.

RD 1176

3

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
APR 3 1901

C J 1776

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1902.

Ella Bray,

Oulagah, Indian Territory

Madam:

You are hereby notified that the application of yourself

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March, 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to A. M. Calloway, Attorney, Claremore, I.T.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Cherokee D. 776
Register

Cherokee D 778

Muskogee, Indian Territory, June 21, 1902.

Mrs. Bray,

Calagah, Indian Territory.

Madam:

You are hereby notified to appear before this Commission at its office in Muskogee, Indian Territory, on or before July 7, 1902, and submit further evidence as to the identification of your husband, John Bray, on the tribal rolls of the Cherokee Nation. One John Falling is identified upon the roll of 1880, who is said to be your husband, John Bray. Was he ever known by the name of Falling? If so, you are requested to bring in your husband as a witness, or to procure such other witnesses as may know the facts concerning the different names of your husband so that he may be properly identified upon the rolls.

You are urged to give this matter your immediate attention.

Yours truly,

Commissioner in Charge.

Register

COPY.

Cherokee D-776.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of Ella Bray for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. H-15.

COPY

Cherokee D-776

Muskogee, Indian Territory, February 3, 1903.

Mrs. Bray,

Colegah, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. M-2157

Register.

COPY.

Cherokee 3-776

Muskogee, Indian Territory, February 3, 1903.

Joy M. Lolley,

Representing A. M. Gallaway,

Attorney for Ella Bray,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 16, 1903, granting the application of Ella Bray for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. 3-198

Register.

Cherokee [illegible]

Muskogee, Indian Territory, April 15, 1898.

Ella Bray,
Box 1227,
Fort Smith, Arkansas.

Dear Madam:

As requested in your letter of March 3, there is enclosed you herewith a copy of a letter with enclosure recently sent to you by registered mail, but which was returned unclaimed.

Your recent letter without date, advising the Commission that your post office address is now Fort Smith has been duly noted.

Respectfully,

Chairman.

Encl-B-177
CHS

Cherokee
10087

Muskogee, Indian Territory, January 10, 1907.

Kila Bray,
Selayah, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Rem. ___B___ Commissioner.

Cherokee
13337.

Muskogee, Indian Territory, March 14, 1907.

Miss Berry,

Calhoun, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner.

EMC

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watts, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 31, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.5-100
MMM

Commissioner.

Cher 10088

Wm. N. West

Trans. from D812

Cher 10088

ApplicantDOUBTFUL:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I.T., NOVEMBER 19th, 1900.

In the matter of the application of William N. West for the enrollment of himself, wife and children as citizens of the Cherokee Nation; said West being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name, please? A William N. West.
Q How old are you? A 58.
Q What is your post office? A Spavinaw.
Q In what district do you live? A Saline.
Q Do you want to enroll yourself and family? A Yes, sir.
Q Have you a wife? A Yes, sir.
Q How many children have you? A Four.
Q Do you apply for yourself as a Cherokee by blood? A Yes, sir.
Q Do you apply for your wife as a Cherokee by blood? A Yes, sir.
Q Both Cherokees by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A All my life, except what time I was out during the Civil War.
Q Give me, please, the name of your father? A James S. West.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Mahalia D. West.
Q Is she dead? A Yes, sir.
Q Give me the name of your wife? A Clementine West.
Q How old is your wife? A 26.
Q When did you marry her? A '91.
Q Were you ever married except to her? A Yes, sir.
Q How often were you previously married? A Once before.
Q Was that wife dead before you married your present wife? A Yes, sir.
Q Are these children all by yourpresent wife? A Yes, sir.
Q Was yourpresent wife ever married except to you? A No, sir.
Q Give me the name of your wife's father? A James Shadle.
Q Is he dead? A I do not know whether he is dead or alive.
Q Give me the name of your wife's mother? A Amanda Shadle.
Q Is she dead? A Yes, sir.
Q Howlong has your wife lived in the Cherokee Nation? A All her life; she was born and raised here.
Q Give me please the names of your four children? A Mahalia May West.
Q Howold is that child? A Eight years.
Q The next child? A Nola Adia.
Q How old is that child? A Six.
Q The next child? A Tooker Bell.
Q How old is that child? A Four.
Q The next child? A It is a year and half old.
Q Willie June, is not it? A Yes, sir.
Born June 14, '99.
Q These children are all living now, are they? A Yes, sir.
1880 Roll; page 67?, #1310, Wm. N. West, Saline.
With the above enrollment is the following note on the record: "Took a reservation in the Neutral Lands."
1880 Roll; page 324, #2886, Clemintine Shalers, Tahlequah.
1896 Roll; page 1030, #1442, William N. West, Saline.
1896 Roll; page 1030, #1445, Clemantine, West, Saline.
1896 Roll; page 1030, #1446, Mahala West, Saline.
1896 Roll; page 1030, #1447, Nola (A) West, Saline.
1896 Roll; page 1030, #1448, Tooker B. West, Saline.
Q What about thismote on your 1880 enrollment to the effect that you took lands in the Neutral lands; where did you take the land?
A In the Neutral lands.
Q In Kansas? A Yes, sir.
Q Under what conditions did you take that reservation; in lieu of your property rights as a Cherokee? A I took it in lieu of part of my money as proceeds of the sale of the lands.

Q Did you draw strip money in 1894? A No, sir.
Q That was because you took lands in the Neutral lands? A Yes, sir
Q So you do not claim to possess any more property rights as a Cherokee? A Only that I intermarried here.
Q You claim as a Cherokee by blood; can you take your property rights up there and come down here and get property rights as a Cherokee by intermarriage? A I do not know as I can take it that way; I took out a Cherokee license and married as a white man.
Q Have you got your marriage license with you? A I have got a copy of it.
Q I understood you to say that you married in '91? A Yes, sir. But that was in '70 my first marriage.
Q What was the name of your first wife? A Eliza Ann Rogers.
Q Now, she was a Cherokee by blood, was she? A Yes, sir.

Com'r:--The applicant files what purports to be an official copy of a Cherokee license issued by the Clerk of Saline district, September 6th, 1870, authorizing his marriage as a citizen of the United States to Miss Eliza A. Rogers, a Cherokee woman and citizen. The certificate shows that they were married in accordance with said license on October 16th, 1870, by the Rev. George Cochran. This is filed herewith.

Q Now, did you live with that wife until she died? A Yes, sir.
Q When did she die? A She died in the Spring of '71.
Q Then you did not marry until '91? A No, sir.
Q Now, where is your license and certificate? A I did not marry under the law, I just married as one citizen to another.
Q Did you and your wife, Eliza Rogers, live in the Cherokee Nation from the time you married her until she died in 1871? A Yes, sir.
Q Was her mother living 20 years ago? A No, sir.
Q Was her father living 20 years ago? A No, sir, her father died before the War.
Q Now, you are put down on the roll of 1880 not as an intermarried white, you married there as a citizen of the United States and not a Cherokee. You are put on the roll of 1880 as a native Cherokee, not as a citizen of the United States? A Yes, sir.
Q You began your case here as a Cherokee by blood? A Yes, sir.
Q Now, do you want to amend your application ~~and~~ before you finish it and let your application be as a Cherokee by intermarriage? A You can fix it either way, the way that is right.
Q Undoubtedly under this evidence of your marriage as a citizen of the United States, you have ground to apply as an intermarried Cherokee, as a Cherokee by adoption.
Q When did you take your reservation? A Under the Treaty of '66.
Q And when did you take your reservation? A '67.
Q And married in '70? A Yes, sir, I come out to the Nation and married in '70 and been living here ever since.
Q What did you do with your land that you took up there in 1867? A I sold it.
Q Sold it before you married in 1870? A Yes, sir. Sold part of it and then moved down in the Cherokee Nation.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and four children: His wife is identified on the rolls of 1880 and 1896 as a native Cherokee. She has stated to have lived in the Cherokee Nation all her life and she will be listed now for enrollment as a Cherokee by blood. Of the four children, the first three named in the testimony are identified on the roll of 1896. They are living now and will be listed for enrollment as Cherokees by blood. When the applicant files a certificate of birth of the youngest child, Willie J. West, this child also will be listed for enrollment as a Cherokee by blood.

William N. West--3.

The applicant states that he has lived in the Cherokee Nation all his life, except a brief absence during the Civil War. He is identified on the rolls of 1880 and 1896 as a native Cherokee. It is noted however, on the roll of 1880 that he took a reservation in the Neutral lands and he states that he did take such reservation in 1867 in such lands in Kansas, in satisfactory of his property rights as a Cherokee by blood; but he files what purports to be an official copy of the license and certificate of his first marriage. It is stated that at that time the district Clerks did not possess a seal. It shows that he was married to his first wife under the Cherokee law in 1870. She is stated to have died in '71. Without further issues of license he married his second and present wife in 1891. He has never been otherwise married and his present wife has not been previously married. He likes now to apply as a Cherokee by intermarriage. For the further consideration of his rights in this particular, his application under its head will be taken under advisement and will, for the present, be placed upon a doubtful card and the final decision of the Commission will be made known to Him at his post office.

---oo0oo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 19th day of November, 1900.

M. D. Wellborn

NOTARY PUBLIC

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 19 1900

ACTING CHAIRMAN

C.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 19 1900

ACTING CHAIRMAN.

Saline

Department of Applications Indian Affairs.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 19 1906 1906.

58 Name William T. West / Thornton G.

District Saline Year 1 B Page 677 No. 1310.

Citizen by blood Yes Mother's citizenship James A. West — —d

Intermarried citizen Yes " Mahala " — —d

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

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C. T-812

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William M. West for enrollment as a Cherokee citizen.

Appearances:
W.W.Hastings, attorney for Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 18,1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March, 1902, and that on said date he might appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any additional testimony affecting his application. Receipt has been acknowledged of the Commission's letter, and the applicant having this day, to-wit: the 10th day of March,1902, been called and failing to respond either in person or by attorney it is considered that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M.D.Green

Cherokee D 812.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 20, 1902.

In the matter of the application of William N. West for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

WILLIAM N. WEST, being sworn, testified as follows:

By the Commission,

Q What is your name? A William N. West.
Q Are you a Cherokee by blood? A Yes, sir.
Q What's your postoffice? A Spavinaw.
Q What's your age? A Sixty.
Q How long have you lived in the Cherokee Nation? A All my life. Never lived out of the Nation only during the War.
Q Only during the War? A Yes, sir.
Q Lived in the Cherokee Nation all the time? A Yes, sir.
Q What put you on a doubtful card? A I was living over here on Neutral land.
Q What Neutral land? A In Kansas, under the treaty of '66.
Q When did you leave the Neutral land? A I come to the Cherokee Nation it was in '69, I came back here and took out a license and married me a wife, A Cherokee, married me a wife under the law.
Q Married you a Cherokee wife? A Yes, sir, under the law.
Q Was your right as a Cherokee by blood ever disputed after you came back here? A Not after I married, I taken out a license. It was disputed. I was appointed District Clerk of Saline District. My license was disputed then and I got a copy of my license and took my license before the Supreme Court that sat as a Commission in 1870 and they notified me to appear and I took my license and went down there to show that I had married as a white man into the Cherokee Nation, and they admitted me under that Court as an intermarried citizen.
Q When were you married to your Cherokee wife? A I was married to her in 1870.
Q 1870? A 1870, my first wife. I am living now with my second wife.
Q Is your second wife a Cherokee? A My second wife's a Cherokee.
Q When were you married to your second wife? A '91.
Q Did you live with your first wife all the time since your marriage up until she died? A Yes, sir, she lived a year.
Q Did you marry your second wife in '91? A Yes, sir.
Q Lived with her all the time? A Yes, sir.
Q Never been separated? A No, sir.
Q Living together on the first day of September, 1902, you and she, were you? A Yes, sir.
Q Have you lived in the Cherokee Nation all the time since 1880 up to the present time? A Yes, sir.
Q Never lived out? A No, sir.

Hattie Tuttle, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Hattie Tuttle

Subscribed and sworn to before me this 21st day of November, 1902.

B. K. Jones
Notary Public.

Boots Chick, potter street, Kirby Muxloe, Leicester (Mrs. Brown) an extra-
ordinary case of the Communication to the Linnean Society, entitled "Observa-
tions on the Development of Certain Species of Ephemeridæ and Perlidæ."

Cherokee D 812

(Copy)

Saline Dist Cherokee Nation

Be it known to All whom it may concern, that I J. L. Springston Clk of the Dist Court in and for the Dist aforesaid, do by virtue of the Authority in me vested by law, do grant Marriage License to Wm. N. West, Citizen of the United States to marry Miss Eliza A. Rogers a Cherokee woman and citizen of the aforesaid Dist and Nation.

The aforenamed Wm. N. West having complied with the requirements of the law passed by the National Council dated Oct 15th 1855 entitled an Act Regulating intermarriage with white men, And any of the Judges of the Several Courts of this Nation, or any regular ordained Minister of the Gospel having the care of souls are Authorized and empowered to perform the the Marriage Ceremony required between the aforenamed parties, and return the same with a Certificate of service attached thereto agreeable to the Aforesaid law.

Given from under my hand in Office on the 6th day of Sept A. D. 1870.

J. L. Springston Dist Clk for Saline Dist Cherokee Nat

This is to certify that I solemnized the rights of Matrimony between Wm. N. West, and Eliza A. Rogers on the 16th day of Oct A. D. 1870

George Cochran Minist

I certify the above a true copy from the original on file in Office of Supreme Ct C. N.
June 14th 1877.

Wm. H Turner Clk
Sup Ct C. N.

Muskogee, I. T., June 12, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a certified copy of a Marriage License and Certificate, which is now on file in the office of the Commission.

H. M. Vance

Cherokee D-812.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of William N. West for enrollment as a citizen by intermarriage of the Cherokee Nation.

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D E C I S I O N.

The record in this case shows that on November 19, 1900, William N. West appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 20, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that William N. West was lawfully married, under authority of a Cherokee marriage license, on October 16, 1870, to one Eliza A. Rogers, a citizen by blood of the Cherokee Nation. The applicant's wife died in 1871, and in 1891 he married one Clementine Shadle, also a citizen by blood of the Cherokee Nation. Said marriage was not under authority of a marriage license, but was "as one citizen to another".

It further appears that William N. West is identified on the Cherokee Authenticated Tribal Roll of 1880, and has resided in the Cherokee Nation all his life, with the exception of a short period during the Civil War.

Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats.,495) provides for the enrollment of Cherokee citizens, "with such intermarried white persons as may be entitled to citizenship under Cherokee laws".

Section 666 of the Compiled Laws of the Cherokee Nation (1892) is as follows:

> "Should any man or woman, a citizen of the United States, or of any foreign country, become a citizen of the Cherokee Nation by intermarriage, and be left a widow or widower by the decease of the Cherokee wife or husband, such surviving widow or widower shall continue to enjoy the rights of citizenship, unless he or she shall marry a white man or woman, or person, (as the case may be), having no rights of Cherokee citizenship by blood; in that case, all of his or her rights acquired under the provisions of this act shall cease".

The evidence in this case shows that the applicant secured rights of Cherokee citizenship through intermarriage with his first wife, Eliza A. Rogers, and that subsequent to her death he married Clementine Shadle, a Cherokee citizen by blood, and lived with her continuously, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that William N. West should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

COMMISSIONERS
HENRY L DAWES
TAMS BIXBY
THOMAS B NEEDLES
C. R BRECKINRIDGE

ALLISON L AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

William W. West,

Sparrow, Indian Territory.

Sir:

You are hereby notified that the application of yourself

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman.

Cherokee D. 812
Register

Commissioner in Charge.

P

0812

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

Acting Secretary.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D-812

Muskogee, Indian Territory, March 18, 1902.

Mr. William H. West,

Vinita, Indian Territory,

Dear Sir:-

The Commission is in receipt of your letter of March 14, requesting that more time be allowed you to furnish evidence in the matter of your application for enrollment as a citizen of the Cherokee Nation.

In reply you are requested to advise the Commission what additional testimony you wish to present in the matter of your application and on what date you think you will be able to appear before the Commission and present this testimony.

You are advised that the Commission does not accept affidavits as evidence in applications for enrollment. In this connection you are advised that on March 10, the date set for the final hearing of your application, the same was called and there being no appearance the case was deemed completed. The Commission will not reopen this case unless good cause be shown why you were not present on the date for the final hearing.

Yours truly,

Commissioner in Charge.

OCF Cherokee D-512.

Muskogee, Indian Territory, January 15, 1903.

W. V. Hastings,

Attorney for Cherokee nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of William H. West for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. D-512.

COPY Cherokee D-612

Muskogee, Indian Territory, February 3, 1906.

William M. West,

Spavinaw, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1906, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-2188

Register.

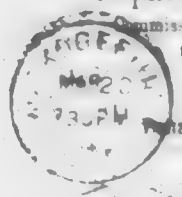
Department of the Interior.

Commission [illegible] Five [illegible] Tribes.

MU[illegible] IND TER

OF[illegible]SINESS

Penalty for private use, $300.



Cher 10089

James L. Ross

Trans. from D1147

Cher 10089

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., MARCH 16th, 1901.

In the matter of the application of James L. Ross for the enrollment of himself and children as citizens of the Cherokee Nation; said Ross being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Jim Ross.
Q Any middle name? A Yes, sir; "L."
Q James L. Ross? A Yes, sir.
Q What is your age, Mr. Ross? A I don't know my age.
Q About how old? A About 53.
Q What is your post office address? A Muskogee.
Q What district do you live in? A Canadian.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood or intermarriage? A By boood.
Q Who do you desire to enroll? A Jim Ross.
Q Anybody else? A Mary Ross.
Q Who is Mary Ross, your wife? A No, sir, my wife is Percilla.
Q Whom do you apply for? A Myself and two children.
Q What is the name of your child? A Mary L.
Q How old is she? A About 14 years old.
Q Next child? A Jennie P.
Q How old is she? A She is about eight years old.
Q What is the name of the mother of these children? A Pacilla.
Q Is she living? A Yes, sir.
Q Is she a white woman or citizen by blood? A White woman.
Q Are you living with her at this time? A Yes, sir.
Q When did you marry her? A About 14 years ago.
Q Why don't you apply for the enrollment of your wife?
A I was not married according to Cherokee laws.
Q were you ever married at all? A Yes, sir, but had no certificate.
Q You will have to have proof to show that you were married. If you were married at all to her she is entitled to enrollment.
Q When were married? A I don't know whether it was '84 or '86; somewhere along there.
Q How long have you lived in the Cherokee Nation? A I have lived there off and on all my life, I was born in the Cherokee Nation.
Q Have you always lived in the Cherokee Nation? A Well I have been away at times.
Q Well, when were you away last? A I was away the last time, I think it was in '93 or '94.
Q Have you been living here continuously since 1894? A Yes, sir.
Q Have you ever been a resident anywhere else besides the Cherokee Nation? A No, sir; I have lived at different places though.
Q Outside of the [redacted] Territory? A No, sir, not outside of the Territory, I lived a while in the Chickasaw Nation.
Q You have been living in the Territory since 1894 or 1895 have you? A Yes, sir; I came here to Muskogee in 1895, I think it was.
Q Where are you living now? A Out here five miles from Muskogee.
Q In the Cherokee Nation? A Yes, sir.
Q Did you ever apply for enrollment in any other tribe? A No, sir.
(Applicant states that he is not in the 1880 Roll.)
Q Have you ever been admitted to citizenship? A No, sir.
Q Have you been recognized as a Cherokee citizen? A Yes, sir, always.
Q By what right do you claim citizenship, you are not on the roll of 1880 and have not been admitted to citizenship? A I didn't think it was necessary to be admitted.
Q Why is not your name on the roll of 1880? A I was not here, I was in the Chickasaw Nation.

James L. Ross--2.

Q Is your name on the roll of 1896? A I believe you might find it there.
Q What degree of Cherokee blood do you claim? A I claim to be a half breed.

1896 Census Roll of citizens of the Cherokee Nation examined and applicants' names found thereon as follows:
on page 63, #1714, James Ross, Canadian District.
On page 63, #1716, Mary Ross, Canadian district.
On page 63, #1717, Jennie Ross, Canadian District.

Q You say you have a son named Daniel? A Yes, sir, he is in the Chickasaw Nation, his mother was a Choctaw, he is on the roll.
Q On the Choctaw Roll? A Yes, sir.
Q Where were you married Mr. Ross? A Near where the country is now in Oklahoma.
Q Married according to the Laws of Okalhoma? A There was no Oklahoma then, it was not Oklahoma.
Q You say you have got no proof of your marriage? A No, sir.
Q anybody say you married? A Yes, sir, those folks are scattered now.
Q Do you know who married you? A No, sir.
Q Have you got any proof that you have been living together as man and wife? A We have been together ever since about that time.
Q About '84 or '85? A Yes, sir.
Q Have you got anybody that you can prove that by, anybody present? A No, sir.

HENRY C. LOWERY, being called and sworn as a witness, testified as follows:

Q What is your name? A Henry C. Lowery.
Q What is your age, Mr. Lowery? A 53.
Q What is your post office address? A Muskogee.
Q Do you know James L. Ross? A Yes, sir.
Q Do you know his wife, Pacilla? A Yes, sir.
Q How long have you known them? A I have known Mr. Ross, I don't know how long, and his wife, seven or eight years, something like that.
Q Have you known them to be living together seven or eight years? A Yes, sir.
Q Been generally recognized in the Community as man and wife? A Yes, sir.

Cur'r Docket:--James L. Ross applies for the enrollment of himself and his two children, Mary L. and Jennie P. Ross. His name is not found upon the an thenticated roll of 1880, and he makes no proof of having been admitted to Cherokee citizenship by the authorities of the Cherokee Nation. His name is found upon the census roll of 1896. He avers that he was married to his wife, one Pacilla, a white woman, in the year 1884 or 1885, but makes no satisfactory proof as to his marriage. The names of his two children, Mary L. and Jennie P. Ross, are found upon the census roll of 1896, and they are duly identified according to the page and number of the roll. By reason of the incompleteness of his testimony as to his citizenship and as to his marriage, final judgment as to the enrollment of said James L. Ross and his two children, Mary L. and Jennie P., will be suspended and their names will be placed upon a doubtful card.
He does not apply for the enrollment of his wife.

---oooOOOooo---

James L.Ross---3:

J. O. Rossen, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly re orded t he testimonyand proceedings in this case, and that t the foregoing is a true and complete transcript of his stenographic notes thereof

J. O. Rossen

Subscribed and sworn t o before me this 16th day of March, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 18 1901

DEPARTMENT OF THE I[illegible]
COMMISSION TO THE FIVE CIVILIZ[illegible]BES.
FILED
MAR 16 1901
[illegible] CHAIRMAN

Statement of Applicant, Taken Under Oath.

Cans.

CHEROKEES BY BLOOD AND ADOPTION.

Date March 16 1900.

(03) Name James L. Rose Muskogee Ind. Ter.

District Cans. Year 96 Page 63 No. 1714

Citizen by blood yes Mother - citizenship

Intermarried citizen no

Married under what law

License Date of marriage

Certificate

Wife's name [illegible]

District Year Page No.

Citizen by blood no Mother - citizenship

Intermarried citizen yes

Married under what law Date of marriage

License Certificate

Names of Children:

1 Mary L. Rose	Dist. Cans	Year 1896	Page 63	No. 1716	Age 14
2 Jennie P. "	Dist. Cans	Year 1896	Page 63	No. 1717	Age 8
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

#1 On 1896 roll as James Rose.

2 " 1896 " Mary "

3 " 1896 " Jennie "

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 23, 1901.

Supplementary testimony in the matter of the application of James L. Ross for enrollment as a Cherokee citizen.

Joshua Ross, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Joshua Ross.
Q What is your age? A 68.
Q What is your postoffice address? A Muskogee.
Q You know James L. Ross? A I do.
Q How long have you known Mr. James L. Ross? A Ever since he was a child.
Q You know His wife Priscilla? A Yes sir.
Q You know whether they were ever married or not? A Oh, yes. I never saw them married, but they are living together.
Q How long do you know that they have been living together as man and wife? A It must be 10 or 12 years. I don't know.
Q Were they held out to the community as man and wife? A Yes sir.
Q And recognized in the community as man and wife? A Yes sir.
Q Where do they live? A He married her I think out in the Shawnee Nation.
Q The ten or twelve years that you know them, where were they living? A He stopped here in town awhile, and then he moved over in Canadian District.
Q You know nothingabout whether they were married or not? A I don't know about the ceremony. I know that they lived together and had children.

By J. L. Baugh, representative of the Cherokee Nation-
Q You know why his name don't appear on the roll of 1880? A Yes, he was out in the Chickasaw Nation then.
Q Had he moved out there? A No, he was a young man and just went out there.

Commissioner-
Q How long have you known James L. Ross? A Ever since he was a boy, since '45.
Q You know his father? A His father was my brother.
Q You know his mother? A Yes sir, she was part Creek and part Cherokee.
Q Was his father a Cherokee? A Yes sir.
Q To your knowledge, has James L. Ross always been considered a Cherokee citizen by Cherokee blood? A Yes sir.

Witness, Junie Smith, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Junie Smith.
Q What is your age, Mr. Smith? A 55.
Q What is your postoffice address? A Braggs.
Q Are you a Cherokee citizen by blood? A Yes sir.
Q You know James L. Ross? A Yes sir, I know him.
Q How long have you known him? A Since '66.
Q You have known him since '66? A Yes sir.
Q You know his father? A No sir.
Q You know his mother? A No sir.
Q To your knowledge was he always recognized as a Cherokee citizen?
A Yes sir, he was always recognized as a Cherokee citizen.
Q By blood? A Yes sir.
Q You know why his name is not on the roll of 1880? A He was in the Chickasaw country.
Q What was he doing in the Chickasaw country? A He could answer that better than I could.
Q You know his wife? A Yes sir, I know her.
Q You know whether they were ever married or not? A No sir.

2- J.L.B.

I don't—
Q How long to your knowledge did they live together as man and wife? A Seven years.
Q Generally considered in the community as man and wife? A Yes sir.
Q They lived together and raised a family? A Yes sir.

By J. L. Baugh, representative of the Cherokee Nation-
Q You know whether Mr. Ross was born at - was he born in the Cherokee Nation? A I couldn't answer that question.

Mr. Joshua Ross recalled and examined by Commissioner Needles-
Q Where was he born? A He was born near Fairfield, Flint District, on Sallisew.
Q Is James L. Ross a nephew of yours? A Yes sir.

Witness, James N. Lowrey, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A James N. Lowrey.
Q What is your age, Mr. Lowrey? A Fifty years old.
Q What is your postoffice? A Muskogee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q You know James L. Ross? A Yes sir.
Q How long have you known him? A I have known him since '62.
Q You know him to be a recognized citizen of the Cherokee Nation? A Yes sir.
Q You know the reason his name is not on the roll of 1880? A He was down in the Chickasaw Nation; said to be.
Q You know where he was born? A No sir.
Q You know his wife, Pacilla? A Yes sir, his present wife.
Q How long have you known her? A Six or seven years.
Q Was she living at that time with Mr. Ross? A Yes sir.
Q Recognized by the community as man and wife here they? A Yes sir.
Q You don't know whether they were married or not? A No sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. P. Rostenberger

Subscribed and sworn to before me this 22nd day of March, 1901.

Commissioner.

E

IA 1147

CIVILIZED TRIBES.
FILED

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee I.T. 3/3/02

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of James L Ross et al for enrollment as freedmen of the Cherokee Nation.

Citizen

No. 6 C 1147

Joshua Cobb
Agent.

Supl.-C.D.#1147.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of JAMES L. ROSS as a citizen of the Cherokee Nation, introduced on part of applicant.

The applicant was notified by registered letter March 1, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 20th day of March, 1902. On said date applicant appear in person and by his Agent, Joshua Ross, Muskogee, Indian Territory, and by agreement with the representative of the Cherokee Nation present, the case was continued until the 21st day of March, 1902. The same being this day, to-wit: the 21st day of March, 1902, called, the applicant appears in person and by his Agent.

Mr. W. W. Hastings, Cherokee Representative, present.

MASON F. WILLIAMS, being duly sworn, testified as follows on part of applicant:
COMMISSION:

Q What is your name? A Mason F. Williams.
Q Do you reside in Muskogee? A Yes, sir.
Q Are you acquainted with the applicant in this case, James L. Ross? A Yes, sir.
Q How long have you known him? A Ten or 15 years; 16 or maybe 17, I don't know exactly how long.
Q During the time you have known him where has he been residing?
A When I first knew him he was residing in Muskogee, he is now residing six or seven miles east of Muskogee.
Q Has he always resided in the Indian Territory since you have know him? A Yes, sir.
Q Did you ever hear his right to enrollment as a citizen of the Cherokee Nation disputed? A No, sir.
Q Did you ever in the capacity of a physician attend upon any of the members of Mr. Ross' family? A Yes, sir.
Q When was that? A October 14, 1887.
Q Was that at the brith of one of his children? A Yes, sir.
Q Where was he residing at that time? A In Muskogee.

WALTER S. AGNEW, being duly sworn, testified as follows on part of applicant:
COMMISSION:

Q What is your name? A Walter S. Agnew.
Q What is your age, Mr. Agnew? A 50.
Q Your post office address? A Muskogee.
Q Are you acquainted with the applicant in this case, James L. Ross? A Yes, sir.
Q How long have you known him? A Well, I have knowed the family ever since the fifties, but I don't remember the boy until '67 when he was about grown.
Q Were you acquainted with his wife Perolla Ross? A No, sir.
Q Did you ever know her at all? A I never had any acquaintance

with her only just when I saw her.
Q You don't know anything about their marriage? A No, sir.
Q Where was the applicant, James L. Ross, living when you first learned to know him? A Fort Gibson.
Q In the Cherokee Nation? A Yes, sir.
Q How long after that did he continue to reside there? A I don't think he was there but a year or so, I think it was in '67 or '8 he left Gibson.
Q Where did he go? A My understanding was he went to the Chickasaw Nation.
Q When did you next see him in the Cherokee Nation?
A I don't think I saw him any more until ten or 12 years ago, he went into Canadian District.
Q Did he move into Canadian district then? A Yes, sir.
Q Did he settle down, purchase any property?
A He has a farm there.
Q Has he been living on that farm? A Yes, sir.
Q Since his return 12 years ago? A Yes, sir.
Q Do you know where he was living in the year 1880, when the 1880 roll was made? A I think he was on a trip out in the Chickasaw Nation.

WILLIAM MOTT, being duly sworn, testified as foollows on part of applicant:

EXAMINATION:

Q What is your name? A William Mott.
Q What is your age? A 59.
Q Your post office address? A Muskogee.
Q Are you acquainted with the applicant in this case, James L. Ross? A Yes, sir.
Q Did you know his wife Perelia? A Well, I have only know her since '95.
Q You don't know when he was married to her, do you? A No, sir; I don't.
Q Where was James L. Ross living when you first learned to know him? A When I first knew him over to E Fort Gibson.
Q How long did he continue to reside there afterwards?
A I don't know, I went away and when I got back he went away.
Q When did you first see him after you got back?
A '95 I think.
Q Where was he living at that time? A I was living here in Muskogee.
Q Where was he living at that time? A I don't know where, I think he came from the Chickasaw Nation.
Q Has he lived here in the Cherokee Nation continuously since 1895?
A I think so.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Have you ever heard this man's right to enrollment disputed?
A No, sir.

JAMES L. ROSS, the applicant, re-called:

EXAMINATION:

Q What is your name? A James L. Ross.
Q How old are you? A I could not tell how old I am, about 57.
Q You have heretofore applied to the Commission for the enrollment of yourself and children as citizens of the Cherokee Nation?
A Yes, sir.
Q Is there any further statement that you desire to make relative to your application? A No, sir.

MR. HASTINGS:

Q You left here directly after the war, did you, Mr. Rosser?
A No, I left here, well I left here sometime right in '& '72 I believe it was.
Q Where did you marry? A I married in the, got my wife out in the Shawnee country.
Q In Oklahoma? A It was not part of Oklahoma then.
Q Well, what is now? A Yes, sir.
Q Where did you live with her then? A Brought her to Muskogee.
Q When? A In, I could not tell what year it was; it was about 15 or 16 years ago.
Q Was that the first time you married? A No, I married in the Chickasaw Nation.
Q You married down there did you? A Yes, sir.
Q Your first wife had been there? A Yes, sir; she was a Choctaw.
Q You lived with her until she died? A Yes, sir.
Q She had a right there? A Yes,; she was a Choctaw, she was not a Chickasaw.
Q And you lived down there with her until she died?
A Yes, sir.
Q Have any children? A Yes, sir, one child.
Q You are not applying for it? A No, sir, he is a Choctaw.
Q Did you live in Texas? A No, sir.
Q You came back here about 1885? A Yes, sir.
Q Did you have any property here from 1862 until 1885? A No, sir

COMMISSION:

Q You submit the case to the Commission now for finality decision do you? A Yes, sir; I don't know of any more evidence I can introduce.

Commission: The applicant and representative of the Cherokee Nation present submit the case. The case is declared completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosser, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosser

20 D1147

IN RE

Application for Enrollment of

INFANT CHILD

Susie Jane Ross

as a citizen of

Cherokee Nation

Approved JUN 28 1900 190

Commissioner.

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 1 1902

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Susie Jane Ross (Here insert name of child), born on the 7th day of June, 1902

Name of Father: James L Ross, a citizen of the Cherokee Nation.

Name of Mother: Priscilla Ross, a citizen of the Cherokee Nation.

Post-office, Muskogee I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Priscilla Ross, on oath state that I am 46 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of James L Ross, who is a citizen, by blood, of the Cherokee Nation, that a female (male or female) child was born to me on the 7th day of June, 1902; that said child has been named Susie Jane Ross, and is now living.

Priscilla Ross

WITNESSES TO MARK (Must be Two Witnesses)

Susie L. Ross.

Mary Ross

Subscribed and sworn to before me this 27th day of June, 1902.

My term Expires Jan 31. 1905.

Joshua Ross NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, M. F. Williams, a Physician, on oath state that I attended on Mrs. Priscilla Ross, wife of James L Ross, on the 7th day of June, 1902, that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Susie Jane Ross

M. F. Williams M D.

WITNESSES TO MARK: (Must be Two Witnesses)

Subscribed and sworn to before me this 27 day of June, 1902

My term Expires Jan 30. 1905

Joshua Ross NOTARY PUBLIC.

Cherokee D 1147

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of James L. Ross for the enrollment of himself and his two minor children, Mary L. and Jennie P. Ross, as citizens by blood of the Cherokee Nation.

D E C I S I O N

The record in this case shows that on March 16, 1901, James L. Ross appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself and his two minor children, Mary L. and Jennie P. Ross, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 23, 1901, and on March 21, 1902.

The evidence shows that James L. Ross is a Cherokee Indian. He is not identified on the authenticated tribal roll of 1880, having been living in the Chickasaw Nation at the time of the preparation of said roll, but on examination of the Cherokee tribal rolls in the possession of this Commission, his name appears on the Strip payment roll of 1894 and the Cherokee Census roll of 1896.

Mary L. and Jennie P. Ross are the children of Pereilla Ross, and the said James L. Ross. It appears that James L. Ross and Pereilla Ross lived together, and held themselves out, as husband and wife for about fifteen or sixteen years, and were so recognized; that Mary L. and Jennie P. Ross are the result of, and were born during that co-habitation, and that they are therefore the descendants of said James L. Ross. Mary L. and Jennie P. Ross are identified on the Strip payment roll of 1894 and the Cherokee Census roll of 1896, as appears from an examination of said rolls in possession of this Commission.

The evidence further shows that said James L. Ross has resided in Indian Territory all his life, and the residence of his said children is considered to be that of their father.

It is, therefore, the opinion of this Commission that James L. Ross, Mary L. Ross and Jennie P. Ross should be enrolled

as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this JAN 15 1903

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREEDLOVE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1147

Muskogee, Indian Territory, March 1, 1902.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Mr. James L. Ross,

Muskogee, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizen s of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate showing your readmission to Cherokee citizenship; also certificate of marriage, or certified copy thereof, of your marriage to your wife, Pacilla.

Register.

Yours truly,

Acting Chairman
Commissioner in Charge.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1147

Muskogee, Indian Territory, July 8, 1902.

Priscilla Ross,

Muskogee, Indian Territory,

Dear Madam:

The Commission is in receipt of birth certificate in the matter of the application of Susie Jane Ross, infant child of yourself and James L. Ross, for enrollment as a citizen of the Cherokee Nation and the same has been duly filed.

Yours truly,

Acting Chairman.

0077.

Cherokee D-1147.

Muskogee, Indian Territory, January 15, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of James L. Rees for the enrollment of himself and his two minor children, Mary L. and Jennie P. Rees, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. D-12.

COPY.

Cherokee Roll 67

Muskogee, Indian Territory, February 2, 1903.

James L. Ross,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself and your two minor children, Mary L. and Jennie P. Ross, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-191

Register.

COPY.

Cherokee B-1147

Muskogee, Indian Territory, February 3, 1903.

Joshua W. Ross,

Attorney for James L. Ross,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting the application of James L. Ross for the enrollment of himself and his two minor children, Mary L. and Jennie F. Ross, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. B-1147

Register.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Priscilla Ross,
Muskogee,
Indian Territory.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Cher 10090

James F. Swift

Trans. from D1312

Cher 10090

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., May 23, 1902.

In the matter of the application of James F. Swift for enrollment as a citizen of the Cherokee Nation. The said James F. Swift, being first duly sworn and examined by the Commission, testified as follows:

Q What is your full name? A James French Swift.
Q How old are you? A 52.
Q Your postoffice address? A Muskogee.
Q You living in the town of Muskogee? A I am.
Q Do you make application for enrollment as a Cherokee by blood? A I do.
Q What degree of blood do you claim? A About a fourth, some say a little over.
Q Do you apply for anyone besides yourself? A No, sir.
Q What is the name of your father? A Francis Barr Swift, Francis B.
Q Is he living or dead? A He is.
Q Is he a Cherokee or a white man? A No, sir.
Q What was the name of your mother? A Martha Tanner.
Q She is living? A She is.
Q You claim your right to enrollment through your mother? A I do.
Q It appears from the records of this Commission that there has been filed in the case of the applicant's mother, Martha Swift, a certified copy of a certificate issued by the office of the Commission on Citizenship, Tahlequah, Cherokee Nation, showing that the applicant, James F. Swift, was admitted to citizenship in the Cherokee Nation on the 19th day of April, 1887. How long have you been living in the Cherokee Nation, Mr. Swift? A Well I will have to answer this way, that I can't tell exactly; the fact that I pursued the carpenter and building trade, and my business has sometimes taken me in to the Cherokee Nation.
Q How long have you been residing in the Indian Territory? A Oh, the better part of at least I think it must be 12 years, when we was building this court-house, I think it was 1888.
Q You have lived here, that is you have made your home in the Indian Territory continuously since that time? A Well I have been to St. Louis and in Texas for a few months a time or two.
Q Have you ever claimed them as your home? A No, I never; Muskogee and the vicinity has been my home.
Q Have you ever voted outside of the Territory? A Yes, I have voted in Texas and voted in Kansas.
Q When did you vote in Texas? A Just a little after I was 21 years old, the time Benjamin Harrison ran for president the last time and was defeated.
Q When did you vote in Kansas? A I voted at a municipal election there, it must be seven or eight years ago.
Q Did you ever vote at any presidential election in Kansas or state election? A No, sir.
Q Was that the only time you voted at a national election in Texas? A Yes, sir.

~~applicant identified on the Census Roll of 1896 in Canadian District on page 70, No. 1250, as James F. Swift.~~

James F. Swift applies for the enrollment of himself as a Cherokee by blood. He makes satisfactory proof as to his admission to citizenship in the Cherokee Nation in 1887. He avers that he has been making the Indian Territory his home continuously since about 1888. It appears, however, that he exercised the right of suffrage in the State of Texas after his admission to citizenship. Consequently, final judgment as to his application for enrollment

will be suspended and his name will be placed on a doubtful card.

Arthur G. Croninger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 11th day of June, 1902.

Notary Public.

D 1812.

Motion Agreed to.

Ordered, That the Petition of [illegible] be referred to the Committee appointed to prepare and bring in a Bill for [illegible] and that they do report the same with their opinion thereupon to the House.

Ordered, That the Petition of [illegible] be referred to the Committee appointed to prepare and bring in a Bill for [illegible] and that they do report the same with their opinion thereupon to the House.

Ordered, That the Petition of [illegible] be referred to the Committee appointed to prepare and bring in a Bill for [illegible] and that they do report the same with their opinion thereupon to the House.

FILED
MAY 23 1902

Statement of Applicant Tribal Enrollment

Creek Natural.

CHEROKEES BY BLOOD AND ADOPTION

BV

Name James D. Link, Muskogee, I.T. Roll No. 5173

District D Tamaha Year 1896 Page 170 No. 1230

Citizen by blood Yes Mother's citizenship James B. Link - Mar. 1 - W

Intermarried citizen No Martha " " " I-C

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

Cher
Supp'l to D 1312

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 16, 1902.

In the matter of the application of JAMES F. SWIFT, for the enrollment of himself as a citizen by blood of the Cherokee Nation:

JAMES F. SWIFT, being duly sworn and examined by the Commission, testified as follows::

Q What is your name ? A James F. Swift.
Q How old are you ? A Thirty one or two in April last, thirty two, I believe.
Q What is your post office address ? A Muskogee.
Q Are you a Cherokee by blood ? A Yes sir.
Q How long have you lived in the Indian Territory ?
A Off and on for about fifteen or sixteen years. I came here when this court house was beingbuilt.
Q Where were you born ? A In Lawrence, Kansas.
Q When did you first come to the Cherokee Nation ?
A My mother brought me down when I was about four or five years old, I think.
Q How long did you stay in the Cherokee Nation at that time ?
A I actually can't tell you. I suppose two or three weeks.
Q Then where did you go ? A Back to Lawrence, Kansas.
Q How long did you stay there ? A I think I left there when I was about ten years old.
Q You lived in Kansas then from the time you returned there from the Cherokee Nation the first time until you were ten years old ?
A No sir, my mother just came down to visit and brought me with her. I was a lad and we went back to Lawrence where we were living.
Q How long did you live in Kansas then ? A Until, I think, I was [illegible] years old.
Q You lived then in Lawrence, Kansas, from the time you were about five years old ? A No sir, we moved to Junction City, Kansas, and from there to Salem.
Q You lived in Kansas, then, from the time you were five years old until you were seventeen ?
A From the time I was born actually.
Q Then where did you go ? A To the Cherokee Nation.
Q How long did you stay in the Cherokee Nation ?
A It was at or near Choteau, I was there about three or four months.
Q Then where did you go ? A To Muskogee.
Q How long did you stay there ? A About three years.
Q Then where did you go ? A To Tenne.
Q How long did you stay there ? A About a year.
Q Then where did you go ? A Up to about Coalgate and Lehigh, in the Choctaw Nation.
Q How long were you there ? A I think about two months.
Q Then where did you go ? A To McAlester.
Q In the Choctaw Nation ? A Yes sir.
Q How long did you live in McAlester ?
A I was building a house there; I think I stayed there six or eight weeks.
Q Then where did you go ? A To Muskogee.
Q Have you lived in Muskogee ever since ? A No sir, I have been in and out, in Tenne and Oklahoma, and various places. But this has been my headquarters though, all the time.
Q You have been in Muskogee ever since you came back from Tenne ? A Yes sir.

Q How old were you when you came back from Texas ?
A I was twenty one.
Q You have never lived then, in the Cherokee Nation, except about two months ? A I have lived in Vinita a month or two, and in Bryce Creek two or three months.
Q Where were you making your home on the 28th day of June, 1898 ?
A It must have been Muskogee.
Q Indian Territory ? A Yes sir; I was chasing around the country some at that time, but then this was my home. In fact I have been in a business that carried me away from home.
Q You claim that your legal residence for the past ten years has been in Muskogee ? A I do unequivocally.

Examined by J. C. Starr:

Q What kind of business have you been in for the last five or six years ? A In the carpenter business all my life, that includes planing mill work, and things of that kind.
Q Where did you work in 1898 ? A I must have been working here if I was living here.
Q Do you know whether you were living here or not ?
A No sir, I don't remember dates very well, I never kept any account of them, but I was here or hereabouts. I was down at Checotah four or five months, and then back up here. This has always been my home, by going back place and Headquarters.
Q You work wherever you can get work, and when you go out you come back to Muskogee?
A No, that aint it; but I kinder like to move around a little.
Q You have been moving around and not staying anywhere particularly haven't you ? A I have been staying in Muskogee more than any other place, and all other places put together.
Q Have you a home here in Muskogee ?
A [illegible]
Q What kind of a home ? A I have got a nice little room down here.
Q You rent a room ? A Yes sir.
Q You have places to eat and sleep at other places besides Muskogee haven't you ? A I generally rent them for the time being.

By Commissioner:

Q Have you ever voted in Muskogee ? A Yes sir.
Q Have you voted in Vinita ? A Yes sir.
Q Have you voted in Kansas ? A I have voted in the municipal elections in Kansas. In Texas I didn't have to register to vote, and I voted just because they would let me. It was a presidential election.

By J. C. Starr:

Q Have you voted in Oklahoma ? A Not me.

I, C. Bagwell, on oath state that, as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

C. Bagwell.

Subscribed and sworn to before me this November 21 1902.

Notary Public.

Cherokee D 1312

MARTHA SWIFT

OFFICE COMMISSION ON CITIZENSHIP.

TAHLEQUAH C. N. APRIL 26th 1887.

Docket	No Enrollment	Names	Age	Sex	Attorney.
	1	Martha Swift	39	Female	Girard, Kansas
	2	Frank T. Swift	20	Male	
112	3	Ben W. Swift	19	Male	
	4	James F. Swift	17	Male	

Applicant for Cherokee Citizenship

A. E. Ivey

Rolls of 1835

vs

Cherokee Nation

Filed April 16th 1887 Ancestor Polly Sanders.

Now on this the 19th day of April comes the above named case for final hearing and having made application pursuant to the provisions of an "Act" of the National Council approved December 8th 1886 and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission it is adjudged and determined by the Commission that Martha Swift, Frank T. Swift, Benj. W. Swift, James F. Swift are Cherokee by blood and they are hereby re-admitted to all the rights and privileges and immunities of Cherokee citizens by blood.

And a certificate of said decision of the Commission and of re-admission was made and furnished said parties accordingly.

J. T. Adair, Chairman Commission
John B. Carter Commissioner
D. W. Lipe Commissioner

R. M. Lipe
Clerk Commission.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T. August 19, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the Record of the Commission on Citizenship of the Cherokee Nation now on file in this office.

Commissioner.

Cherokee D-1512.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of James F. Swift as a citizen by blood of the Cherokee Nation.

|| || || || || || || ||

D E C I S I O N.

--:o:--

The record in this case shows that on May 23, 1902, James F. Swift appeared before the Commission at Muskogee, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 16, 1902.

The evidence shows that the said James F. Swift was admitted to citizenship in the Cherokee Nation on April 19, 1867, by the duly constituted authorities of said Nation, as a Cherokee by blood. The applicant is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said James F. Swift has lived in the Indian Territory continuously since his admission to citizenship in the Cherokee Nation, and was a resident of said Territory on June 28, 1898.

It is, therefore, the opinion of this Commission that James F. Swift should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 15 1903

Cherokee D-1318

Muskogee, Indian Territory, October 4, 1902.

James P. Swift,

Muskogee, Indian Territory.

Sir:-

You are advised that it will be necessary, before the Commission can determine your right to enrollment as a citizen of the Cherokee Nation, that you introduce further testimony as to your residence.

This testimony can be presented before the Commission at its offices at Muskogee, Indian Territory, and you will be allowed ten days from the date hereof in which to present such testimony.

Respectfully,

Acting Chairman.

Cherokee 10096

Tahlequah, Indian Territory, November 21, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to schedule number 27 of citizens by blood of the Cherokee Nation, heretofore forwarded to the Department, the Commission has the honor to report that number 26793, appearing thereon as James T. Swift should correctly appear as James F. Swift.

The testimony of the applicant and all of the records in this case show the correct name of the applicant to be James F. Swift.

The Commission, therefore, respectfully recommends that the copies of this schedule retained by the Department and in the office of the Commissioner of Indian Affairs, be corrected so that number 26793 will appear thereon as James F. Swift instead of James T. Swift, and that the

Secretary, -2.

Commission be directed to make similar changes upon the copies of the schedule retained by it.

Respectfully,

_____
Chairman.

_____
Commissioner.

_____
Commissioner.

_____
Commissioner.

Through the

Commissioner of Indian Affairs.

MPM

(Copy).

Refer in reply to the following:

Land.
76,935-1903.

Department of the Interior,
Office of Indian Affairs,
Washington, Dec. 4, 1903.

The Honorable
The Secretary of the Interior.

Sir:

There is enclosed, herewith, a report, dated November 21, 1903, from the Commission to the Five Civilized Tribes, in which it is stated that the name of James T. Swift, which appears opposite No. 26,793, Cherokee approved partial roll, should appear as James F. Swift.

The Commission requests authority to make the proper correction.

It is recommended that the Commission's request be granted, and that the office be authorized to correct its partial roll in this particular.

Very respectfully,

(signed) W. A. Jones.
Commissioner.

(C.J.W.) P.

D.C.34404-1903. 79982 RAF LRS ITD. 8564-1903.

Department of the Interior.

Washington.

December 10, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

In accordance with the recommendation contained in your communication of November 21, 1903 (Cherokee 10090), you are directed to correct schedule No. 27 of citizens by blood of the Cherokee Nation, so that the name opposite No. 26793 will appear thereon as James F. Swift instead of James T. Swift. The copy of said schedule in this office has been corrected in the same respect, and the Commissioner of Indian Affairs has been directed to correct the copy in his office.

Inclosed is a copy of the Commissioner's report of December 4, concurring in your recommendation.

Respectfully,

(signed) Thos Ryan.

Acting Secretary.

1 inclosure.

COPY.

Cherokee D-1313.

Muskogee, Indian Territory, January 15, 1909.

W. W. Hastings,
Attorney for Cherokee Nation,
Wichita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1909, granting the application of James F. Swift for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,
Acting Chairman.

Enc. E-16.

COPY

Cherokee Nation

Muskogee, Indian Territory, February 2, 1903.

James F. Swift,

Muskogee, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 15, 1903, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. M-192

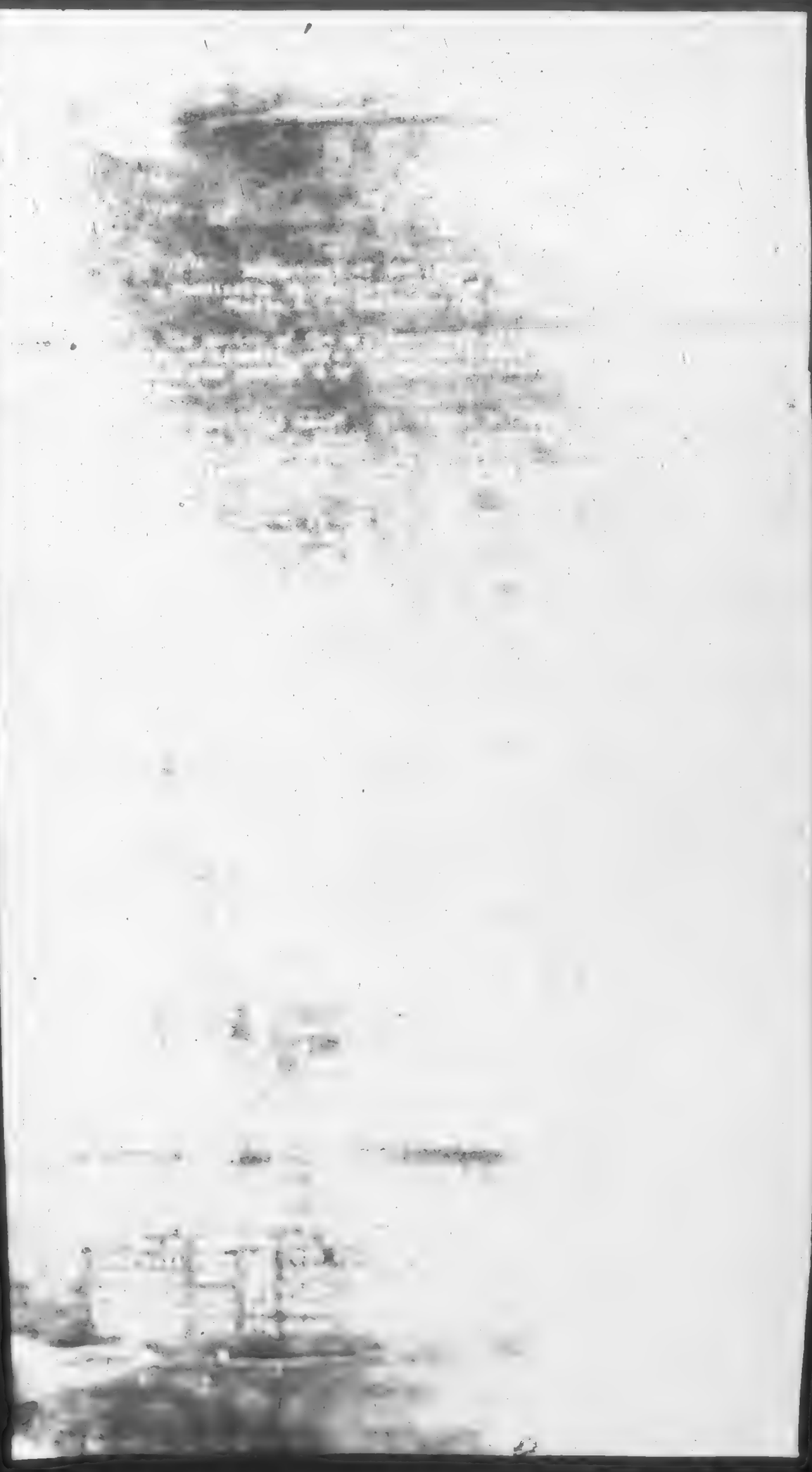
Register.

Cher 10091

Joseph B. Ladd

Trans. from D470

Cher 10091



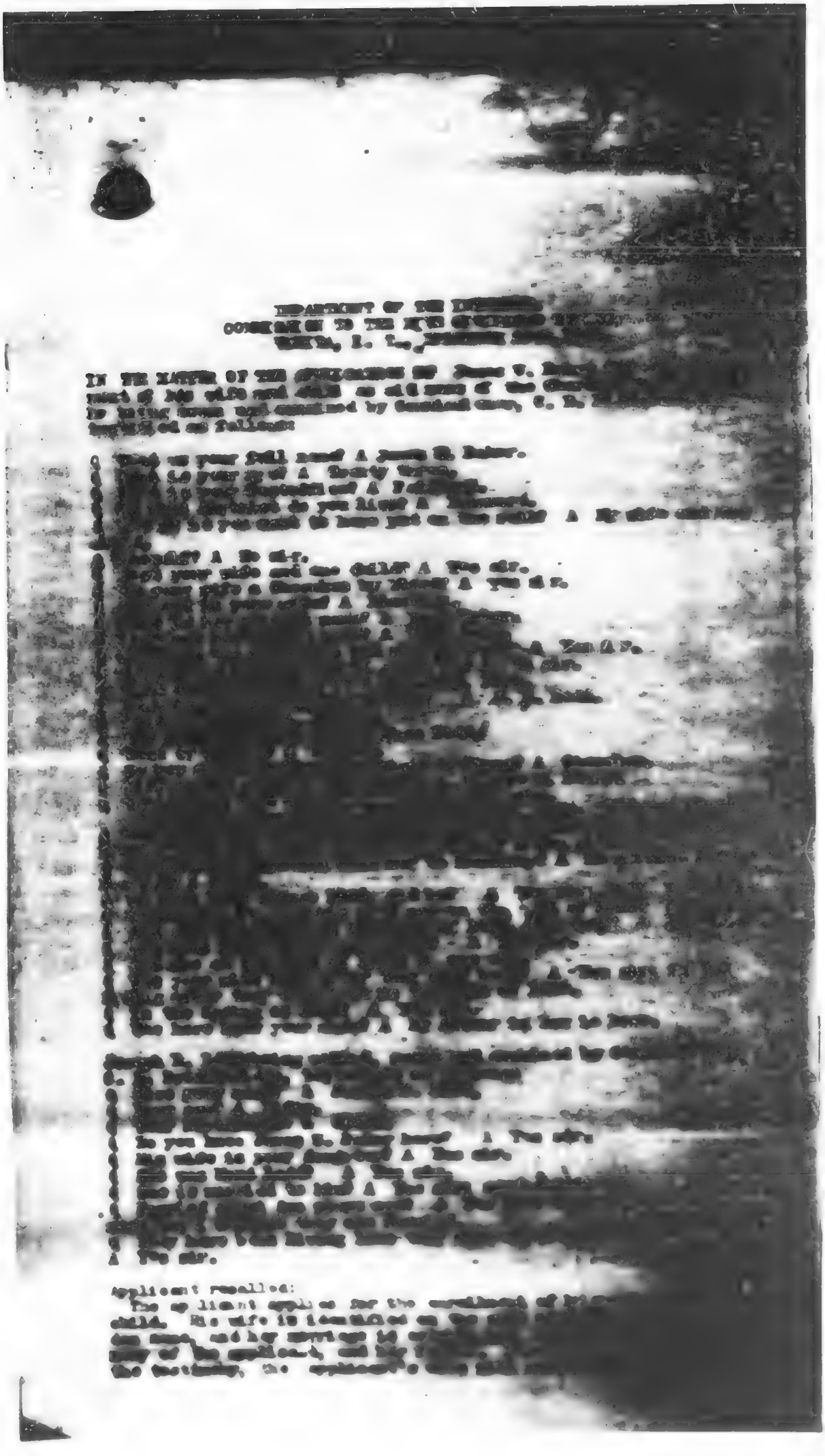
Joseph [illegible]

1896 roll page [illegible] 1857 Nola M. Ladd Delaware District
1896 roll [illegible] Clara M. Ladd
4 These six [illegible] were all born after you and [illegible]
turned to the Cherokee Nation? A Yes sir

Com'r Breckinridge: The applicant applies for [illegible]
of himself, wife and six children; he states that his wife
native of the Cherokee Nation and that they were married
and that their marriage license and [illegible] certificate
[illegible] in 1877 he moved with his wife to Kentucky,
[illegible] the fall of 1880, having gone for the pur-
[illegible] of visiting his home; he came back [illegible]
fall of 1880, and both of he nor his wife are [illegible]
both of them are identified on the roll of 1896; the ap-
[illegible] placed upon a doubtful card as an intermarried
[illegible] required to furnish an official copy of his
certificate, and otherwise is also called
[illegible] identified by the applicant
[illegible] Nattie [illegible]

[illegible] being first duly sworn, [illegible]
[illegible] and [illegible] published before me
[illegible] and proceeding, [illegible] in his own
[illegible] and complete statement of his [illegible]

[illegible] and sworn to before me this 30 day of [illegible]



Box 40

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 29 1900

Acting Chairman

DELAWARE.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date [illegible] 10 1900.

Name [illegible]

DELAWARE.

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name [illegible]

DELAWARE

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Names of Children.

[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]

[illegible]

"C"

DEPARTMENT OF
COMMISSION TO THE F
FILED
NOV 17 1900

Cherokee Nation

Del.Dist.

I hereby certify that J.B.Lad a citizen of the U. States was granted a marriage license to wed Miss Mary Jos Vann a citizen of the Cherokee Nation on the 3 dy of April A.D. 1875 the license returned executed and hereby recorded in conformity with the act regulating intermarriages.

This 8 dy of April 1875.

J.E.Harlin,Clerk,

Del.Dist.

Executive Office Cherokee Nation,

Tahlequah, I.T.

I,B.W.Alberty,assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the marriage record of Delaware District Cherokee Nation now filed in this Office by law and in my custody. Given under my hand and the seal of the Cherokee Nation this the 27th day of October 1900.

B. W. Alberty

Assistant Executive secretary

Cherokee Nation.

B. W. Albert

[illegible]
[illegible]

State of Arkansas)
County of Benton)

I, the Rev. P. H. Trone, on oath do hereby state and certify that I am a citizen of Bentonville, Benton County, Arkansas, and of lawful age and a minister of the Gospel now and was in the year 1874 and 1875, and was an ordained Minister of the M. E. Church South.

That in the month of April, 1875 I legally and [illegible] the ordinary and married Joseph B. Ladd to Mary Josephine Vaus in the Christian Church near Rogersville, Arkansas, and as my recollection serves me George Ruddy was present as a witness at said marriage.

Given under my hand and private seal this the 6th day of February, 1903.

Subscribed and sworn to before me this 6th day of February, 1903.

[illegible] Notary Public
in and for Benton County, Arkansas.

My Commission expires June 8th, 1903.

[redacted]

D471D

D

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 19 1901

ACTING CHAIRMAN

FILED

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BREVOORT
ALLISON L. AYLESWORTH
SECRETARY

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 27, 1902

Received of the Commission to the Five Civilized Tribes one copy of the testimony taken in the matter of the application of Joseph B. Ladd, et al., for enrollment as citizens of the Cherokee Nation.

Jno. E. McCulloch
Attorney for Applicants.

Cherokee D-470

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27, 1904.

In the matter of the application of Minnie Tiger, for the enrollment of herself and minor children of the Choctaw Nation.

It appearing that counsel by telegram dated the 26th instant, requested that the application of Minnie Tiger for the enrollment of herself and minor children as citizens of the Choctaw Nation, be dismissed without prejudice, and it appearing that the request should be granted, it is ordered that said application be, and the same is hereby dismissed without prejudice.

Tams Bixby,
Commissioner.

"E"

Cherokee D 470

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 20,1903.

[redacted] TESTIMONY AND PROCEEDINGS in the matter of the application of Joseph F. Reid for the enrollment of [redacted] and children as Cherokee citizens.

Appearances?

[redacted], Vinita, I. T., attorney for [redacted]

[redacted], attorney for the Cherokee Nation.

[redacted]

[redacted] rights only where not being exercised

[redacted]

[redacted]

[redacted]

Q [illegible] at the time you moved you say you made [illegible] back to the Territory? A Yes sir; when I [illegible] nothing] and would have come back the next [illegible] and I had to stay until I could get full [illegible] [illegible] had changed there from what I supposed [illegible] understood, did my mother and you and [illegible] after I went back there and I didn't owe anything [illegible]

Q [illegible] your wife have always lived [illegible] [illegible] Yes, ever since the Fall of [illegible]

Q [illegible] the Territory of Alaska is your A Yes sir.

Q [illegible] minor children? A Yes sir.

Q [illegible] were children when you went back to Kentucky? A [illegible] Q How long did you think she was going to live? A [illegible] live] [illegible] Q [illegible] A [illegible]

Q [illegible] A [illegible]

Q [illegible] A [illegible] to Kentucky to live [illegible]

Q [illegible] how long you [illegible] all of your life, you [illegible] Q [illegible]

Q [illegible] A I left the flooring to [illegible]

Q [illegible] A Will now you can count it. [illegible]

Q [illegible] for that house, and the lumber was [illegible]

Q [illegible] A I had a dollar and a quarter [illegible] Q [illegible] lumber] what else did you [illegible]

Q [illegible] A I had a door number to the house; I [illegible]

Q [illegible] A Dollar and a quarter.

Q [illegible]

Q You didn't know that you [illegible] country? A Oh no I didn't know whether I [illegible] I got to Kentucky I said I would [illegible]

BY MR. [illegible]:

Q But what I [illegible] what did you mean? A I didn't know [illegible] whether.

Q Didn't know whether you would live to come back or not? A I didn't know whether I would live to come back or not; I [illegible] as soon as I got to Kentucky that I could [illegible]

BY MR. HARTIGAN:

Q That was after you got to Kentucky? A Yes sir.

Q But when you left here you didn't know? A No sir.

DAVID W. VANE, being first duly sworn and being [illegible], testified as follows:

BY MR. McCULLOUGH:

Q State your name to the court? A David W. Vane.

Q Where do you live? A I live at Fairfield, Delaware, [illegible].

Q Do you know Joseph L. Lank, the claimant in this [illegible]?

A He is my brother-in-law, married my sister.

Q Do you remember of him being married to your sister? [illegible]

Q What was that, do you remember? A It was about [illegible]

Q Does he married his wife previous to married my [illegible]

A [illegible]

Q Do you know of him owning land in Kentucky after he was [illegible]

A Not him.

Q About how long did he live here before he removed? A I [illegible] about four years two or three years. I don't know [illegible]

Q [illegible] A [illegible]

Q [illegible] A [illegible]

Q [illegible] A

1894 py roll of citizens of the Cherokee nation examined and applicant's wife and children identified thereon as follows:
page 420 No.1661, Mary J. Ladd, Delaware District;
page 420 No.1664 Burnett Ladd, Delaware District;
page 420 No.1665 Henry Ladd, Delaware District;
page 420 No.1666 James Ladd, Delaware District;
page 420 No.1667 Tula Ladd, Delaware District;
page 420 No.1668 Clara F. Ladd, Delaware District.

Q Is that the only payment that they received money? A He was on every roll as I understood it.
BY MR. HASTINGS:
Q This lumber that you speak of was used in the house before he left there that Mr. Ladd occupied? A Yes sir.
Q It was just the lumber on the floor of a log cabin? A Yes sir of a log cabin, and a door to that.
Q He never had any farm when he left? A No, never had had one, never been able to put in one.
Q Only been here two or three years from Kentucky? A Yes sir.
Q And he went back to Kentucky? A Went back.
Q Before he didn't hardly have the effects to go back on? A No didn't have very much.
Q Left a wash kettle there with your mother? A With my mother.
Q What relation are you to this man? A He is my brother-in-law, married my sister.
Q What became of the lumber? A Why father had it there, put it up in the loft, in the barn there.
Q What ever became of it, just used it up there in the barn? A Yes. Just laid it up there in the barn.
Q What become of it? A It was there in the barn as long as it lasted
Q Your father used it to lay a loft in the barn? A Yes sir, it stayed there.
Q What became of the door? A The door shutter, it was there about the house there where we built a house at.
Q You built a house and used it?A Yes sir.
Q That was while he was gone? A Yes sir, while he was gone.
Q And that reduced his effects down to a wash kettle? A Yes sir.
Q What became of it? A It was left there, they had it there all the time; my mother had it there.
Q Used it? A Yes sir,
Q They went back to Kentucky in a wagon? A Yes sir.
Q Little unhandy to carry a wash kettle back with them? A I don't know, I guess it was.
Q I say it was a little unhandy to carry it back? A I guess it would have been to.
Q Little unhandy to carry that 225 feet of lumber back there? A I guess it would have been.
Q And a little unhandy to carry that door back; whatever became of the washing kettle finally? A I don't know what.
Q Mr. Ladd was dissatisfied with this country himself wasn't he? A I guess he was.
Q Well you know it don't you? A Yes sir.
Q You had heard him say before that he wanted to go back to Kentucky? A Yes sir.

APPLICANT, MR. JOSEPH B. LADD, re-called and further examined, testified as follows:
BY MR. HASTINGS:
Q You had no farm here? A No sir.
Q You had only been here a couple or three years from Kentucky?
A Yes sir, about that.
Q You had gotten dissatisfied with the country and wanted to go back? A Yes sir. Somewhat, had a notion to go back, and my mother encouraged me to come.
Q [illegible] helped you along? A Yes sir.



Per D 670

Department of the Interior
Commission to the Five Civilized
Muskogee, I. T., October

In the matter of the application of
ollment of himself as a citizen by intermarriage
and his children, [illegible]

Joseph B. Lamb, called as a witness, being duly sworn
examined by the Commission, testified as follows:

Q What is your name ? A Joseph B. Lamb.
Q What is your age ? A Fifty two.
Q What is your post office ? A Nowata.
Q Are you the Joseph B. Lamb who applied to be
enrolled as an intermarried citizen
Q Are you the husband of
your wife's
Q Are you the
Q
Q
Q
Q Were you married under that Cherokee license ?
A Yes.
Q Did you ever married prior to your marriage to your wife Mary J ?
A No sir.
Q Was she ever married prior to her marriage to you ?
A No sir.
Q Were you and she living at the Cherokee Nation when
the Act granting
A No sir, I was in Kentucky. I went there
1880. The fall of 1879.
Q How much land have in the fall of 1880 the last time ?
A
Q
Q
Q Were you living together with you ? A Yes sir.
Q
A Yes sir, we have had one child.
Q Have you lived in the Cherokee Nation all the time since
the present time ? A Yes sir.
Q Has your wife lived here with you all the time ? A Yes sir.
Q Were you and your wife Mary J. Lamb together in the
with at present and also from the date of your marriage
Q Were you living together as husband and wife on the
of September, 1902 ? A Yes sir.
Q Three children, Burnett, Henry E., Susan B., Ruth
and Bessie B., all your children by your wife Mary J ?
A Yes sir.
Q Are they all living at this time ?
A Have they lived in the Cherokee Nation all
Yes sir.

Examined by J. C. Starr:

Q What did you go to Kentucky for ?
A I lived there until the spring of 1879.



Department of the Interior.

Cherokee Nation,

of Matter Ladd Feby 1897

Name of Father Joseph Ladd Cherokee Nation.

Name of Mother Mary Ladd Cherokee Nation.

Ward #7

AFFIDAVIT OF MOTHER

UNITED STATES
Northern INDIAN TERRITORY,

I, Mary Ladd, and state that I am 46 years of age and a citizen, by Blood of the Cherokee Nation; that I am the lawful wife of Joseph P. Ladd, who is a citizen, by Marriage of the Cherokee Nation; that a female child was born to me on the 2 day of Feby 1897; that said child has been named Matter Ladd, and is now living.

Mary J Ladd

WITNESSES TO MARK

(Must be two witnesses.)

Subscribed and sworn to before me this 28 day Sept 1900

C. N. Smith
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
Northern INDIAN TERRITORY, District.

I, Rosanna Tarn, a Midwife, on oath state that I attended on Mrs. Mary J. Ladd, wife of Joseph Ladd, on the 2 day of Feby, 1897; that there was born to her on said date a female child; that said child is living and is said to have been named Matter Ladd.

her
Rosanna × Tarn
mark

Sept
C. N. Smith

CHILD

1900

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Joseph B. Ladd, et al, for enrollment as Cherokee citizens, consolidating the applications of:

Joseph B. Ladd et al	Cherokee D 470
Maud Baker et al	Cherokee D 473.

D E C I S I O N.

The record in these cases shows that on September 29, 1900, Joseph B. Ladd and James W. Baker appeared before the Commission at Vinita, Indian Territory, and made their respective applications as follows:

Joseph B. Ladd applied for the enrollment of his wife, Mary J. Ladd, and his minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation, and for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

James W. Baker made application for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation.

Further proceedings were had in the matter of said applications, atMuskogee, Indian Territory, on February 27, and October 15 1902.

The evidence shows that the said Joseph B. Ladd was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, in April 1875, to one Mary J. Vann. On examina- of the Cherokee tribal rolls in the possession of this Commission, it appears that the said Joseph B. Ladd is identified on the Cherokee census rolls of 1890 and 1896; that his wife, Mary J. Ladd, is identified on the Cherokee pay rolls of 1883, 1886 and 1894, and on the Cherokee census rolls of 1890 and 1896; that his child, Burnett A., is identified on the Cherokee pay rolls of 1886 and 1894, and the Cherokee census rolls of 1890 and 1896; that his children, Henry E., and James D., are identified on the strip payment roll of 1894 and th Cherokee census rolls of 1890 and 1896; thathis children, Tula M. and Clara L. Ladd, are identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896, and that Mattie P. Ladd is identified by a birth affidavit made a part of the record herein.

The evidence further shows that the above named Maud Baker is the daughter of Joseph B. Ladd and Mary J. Ladd, his wife. An examination of the tribal rolls in the possession of this Commission, shows that the said Maud Baker is identified on the Cherokee pay rols of 1883 and 1886, and on the Cherokee census rolls of 1890 and 1896. She was married to her husband, James W. Baker, in 1898, and her child, Goldie M. Baker, is the issue of that marriage. Goldie M. Baker is identified by a birth affidavit on file made a part of the record herein.

The evidence further shows that none of the above adult applicants appear on the authenticated tribal roll of 1880. It appears that Joseph B. Ladd and his wife, Mary J. Ladd, remained in the Cherokee Nation about two years following their marriage; that in the spring of 1877 they went to Kentucky and returned to the Cherokee Nation in November, 1880, where they have resided and been living together as husband and wife, up to and including September 1, 1902. The above named Maud Baker and the other children of the said Joseph B. and Mary J. Ladd herein mentioned, have resided in the Cherokee Nation since the date of their birth.

Article II of the treaty concluded between the United States and the Cherokee Nation, at Tahlequah, Indian Territory, on December 19, 1891, approved by the principal chief on January 4,1892 and ratified by an act of Congress approved March 3, 1893, (27 Stats. L.612-641), provides as follows:

"For and in consideration of the above cession and relinquishment, the United States agrees:

First. That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or acts of Congress, shall be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of 1835; and sections twenty-six and twenty-seven of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

Upon examination of the lists of intruders and unauthorized persons residing in the Cherokee Nation, furnished by the principal chief, pursuant to said treaty which lists bear date of 1893 and are now in possession of the Commission, it appears that the names of none of said applicants are found thereon. On the contrary, it appears that Joseph B. Ladd is identified on every census roll, and his wife, Mary J. Ladd, is identified on every tribal roll of said nation made since their return from Kentucky.

It is, therefore, the opinion of this Commission that Joseph B. Ladd should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Mary J. Ladd, Burnett A. Ladd, Henry B. Ladd, James B. Ladd, Tula M. Ladd, Clara L. Ladd, Mattie P. Ladd, Maud Baker and Goldie M. Baker, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby.

Acting Chairman.

T. B. Needles.

Commissioner.

C. R. Breckinridge.

Commissioner.

Dated at Muskogee, Indian Territory,

this Dec. 1, 1902.

A

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 16th 1902.

In the matter of the application of Joseph B. Ladd for the enrollment of himself and family as citizens of the Cherokee Nation., consolidating the cases of:

Joseph B. Ladd et al------ Cherokee D 470

Maud Baker et al Cherokee D--475.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission in the above cases and asks that same be forwarded to the Honorable Secretary of the Interior for Review..

The Proof shows that Joseph B. Ladd is a white man and that he originally came from the state of Kentucky, married into the Cherokee Nation in about 1875 and returned to Kentucky for the purpose of making his home; he came back to the Cherokee Nation too late for his name to be placed upon the authenticated roll of 1880. Attention is called to the statement made by Commissioner Breckinridge, who heard the original application in the field on September 29th 1900, which we think properly states the facts in this case and the law applicable to it..

It will be noted that the applicant at that time repeatedly stated that he left the Cherokee Nation and went back to the State of Kentucky for the purpose of making it his home; that he moved there to live without any intention of returning to the Cherokee Nation. His mother who was a citizen of the state of Kentucky was alive at that time and lived a year or two after he moved back there when she died and subsequent to that time in the latter part of the year 1880 he became dissatisfied with his home in Kentucky and returned to the Cherokee Nation. There is not the slightest evidence in the original testimony of his having left any effects within the limits of the Cherokee Nation or of his purpose to return thereto at any future time. And it seems quite clear that Joseph B. Ladd, the applicant, became dissatisfied with this country and he concluded to remove with his wife and family back to the state of his birth for the

purpose of making it his home in 1877. He had no home here; and in fact had no effects in the Cherokee Nation; all that he had was put in a wagon and carried with him.. Subsequent testimony, however, develops the fact that he had $5.85 worth of flooring which was left in a log cabin; in that it was old flooring; a door shutter and a wash kettle.. Perhaps of all the cases submitted to the Commission the pretext here assigned is perhaps the most noted. Certainly it can not be believed for a moment taking into consideration that he had no intention of returning here or that he left this flooring for the purpose of retaining his citizenship because this is contradicted by the fact that the flooring in this little old log cabin was taken up and used as well as the door shutter, while the wash kettle was left behind, if he had one, because of it being too heavy to carry with him. But as above observed this application was first made on September 29th 1902 and it was February 27th 1902 about eighteen months after the first application before the applicant could remember that he had left even these effects here in order to retain his citizenship.

The Act of Congress of June 10th 1896 provided: " That in determining all such applications said Commission shall respect all laws of the several nations or tribes not in consistent with the laws of the United States and all treaties with either of said nations or tribes and shall give due force and effect to the rolls, usages and customs of each of said nations or tribes"

Not the act of June 7th 1897 defines the "Rolls" of citizenship to mean the "Last authenticated rolls" of the Cherokee Nation which is the roll of 1880 and it will be observed that none of the names of the applicants appear upon said roll of 1880.

Article I Section 2 of the Constitution of the Cherokee Nation provides "That whenever any citizen shall remove with his effects out of the limits of this nation and becomes a citizen of any other government, all of his rights and privileges as a citizen of this nation shall cease; provided nevertheless that the National Council shall have power to readmit by law, to all of the rights of citizenship any such person or persons who may at any time desire to return to the Nation on naturalizing the National Council for such readmission."

Now if as commanded by the act of Congress of June 10 1896 the Commission is compelled to respect the laws of the Cherokee nation we do not see how the applicants can be admitted if the above claus of the Cherokee Constitution is respected. It is confessed by the applicant himself that he removed from the Cherokee Nation with his effects and that he went to the State of Kentucky for the purpose of making it his home and that he was never readmitted by any tribunal having jurisdiction.

We are frank to say that it is not clear to us upon what theory the Commission admitted these families and the argument used in their decision of date December 1st 1902 to the effect that the names of these applicants do not appear upon an intruder roll is simply astounding to the representatives of the Cherokee Nation. If this fact was evidence of citizenship nine-tenths of the whitemen in the Cherokee Nation could appear before the Commission, represent that they were entitled to citizenship in the Cherokee nation and say that their names do not appear upon the intruder roll. The Cherokee Constitution recognizes no negative action, and no one is entitled to admission in the Cherokee nation because of negative proof but it was necessary under the Cherokee constitution for this man to have been readmitted; in other words there must have been an affirmative act readmitting this family to citizenship in the Cherokee Nation after he removed to the state of Kentucky, upon his return to the Cherokee Nation.

We think it quite clear as did the Commissioner who originally examined the case that the applicant left with the intention of making his home in Kentucky and that it was necessary for him to have been readmitted to citizenship in the Cherokee Nation upon his return as he states in the fall of 1880.

Respectfully submitted,

W W Hastings

Attorney for the Cherokee Nation.

Attorney

Stenographer for the Cherokee Nation.

CHEROKEE-10091.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 2, 1907.

In the matter of making proof of the marriage of Joseph B. Ladd to his Cherokee wife, prior to November 1, 1875.

Joseph B. Ladd, being sworn by B. P. Rasmus, a Notary Public, testified as follows:

COMMISSIONER:

Q. What is your name? A. Joseph B. Ladd.
Q. What is your age? A. 56.
Q. Post Office address? A. Narcissa.
Q. Do you claim to be a citizen by intermarriage of the Cherokee Nation? A. Yes sir.
Q. Through whom do you claim to have derived your right to enrollment as an intermarried citizen of the Cherokee Nation? A. My wife.
Q. What is her name? A. Mary Josephine Ladd.
Q. When were you married to Mary J. Ladd? A. I was married in April -- I think -- to the best of my recollection it was the 23rd. day of April, 1875.
Q. Were you ever married before your marriage to Mary J. Ladd? A. No sir.
Q. Was she ever married before she married you? A. No sir. We married each other twice.
Q. Was this the first or second time -- the one in 1875? A. The second time. The first time was in Kentucky in 1873.
Q. And in 1875 you were married again? A. Yes sir.
Q. Under a Cherokee license? A. Yes sir.
Q. Where is this license? A. I kept it 15 or 20 years and just were it out carrying it around. We made satisfactory showing to the Dawes Commission that we were married properly.
Q. Was your wife a citizen of the Cherokee Nation at the time you married her? A. Yes sir.
Q. When was she admitted? A. Her father and the family was all admitted I think in '74.
Q. Have you a decree of the court admitting you in '74? A. No, the old man, her father, made the application for the family for citizenship, and we was all admitted through his application.
Q. Where were you living in 1880? A. In Kentucky part of the year, but I moved back here in the fall.
Q. You were married the first time in Kentucky? A. Yes sir, in '73, and then we came right here. Then we went back to Kentucky and in the fall of 1880 I moved back here.
Q. Was your wife re-admitted to citizenship when she came back here A. No sir, she hadn't lost her citizenship. She had property here.
Q. You came back to the property? A. Yes sir, and we proved and showed to the Court and the Dawes Commission that we never had abandoned the Territory.

Q. Were you ever married before you married your present wife? A. No sir.
Q. You have lived together continuously since your marriage in 1873 up to the present time? A. Yes sir.
Q. Can you get a copy of the Cherokee Act admitting your wife and yourself to citizenship in the Cherokee Nation? A. The old man got it, and I didn't have anything to do with it.
Q. Can you get a copy of it? A. I don't know.
Q. It will be necessary for you to furnish this office with a copy of the Act showing the admission of your wife to citizenship in &74.

(Commissioner -- The applicant is identified upon the 1896 Census Roll, opposite No. 323. His wife is identified on the 1896 Census roll opposite No. 1851. She is also identified upon the final roll of citizens by blood of the Cherokee Nation opposite No. 26794.)

Q. What was your wife's name before you married her? A. Mary Josephine Vann.

(Commissioner -- Reference is here made to the affidavit of Rev. P. H. Trone, subscribed and sworn to on the 6th. day of February, 1901, filed with the Commission on February 19, 1901, showing that he married the applicant to Mary Josephine Vann in the month of April, 1875, and also a certified copy of J. H. Harlan's certificate of the issuance of the marriage license issued to the applicant and Mary Josephine Vann.)

Witness excused.

Eula Jeanes Branson, being duly sworn, states that she correctly reported the proceedings had in the above and foregoing on the 2nd. day of January, 1907.

[illegible] Reporter.

Subscribed and sworn to before me this 3rd. day of January, 1907.

[illegible]
Notary Public.

" Vann, Jas. D & Children Nov.30th/74 Admitted Conditional on removal and permanent location in the Nation."

The undersigned, being first duly sworn, states that, as stenographer to the Commissioner to the Five Civilized Tribes, she ~~xxx~~ made the above and foregoing copy, and that the same is a full, true and complete copy of record, found on Page 21, "Record of Persons admitted to Cherokee Citizenship by the National Council and Supreme Court since the Treaty of 1866."

Sarah Mees.

Subscribed and sworn to before me this 7th day of February, 1907.

Walter L. Chappell
Notary Public.

E C M Cherokee 10091.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of JOSEPH B. LADD as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N

THE RECORDS OF THIS OFFICE SHOW: That at Vinita, Indian Territory September 29, 1900 application was received by the Commission to the Five Civilized Tribes for the enrollment of Joseph B. Ladd as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, February 27, 1902, October 13, 1902 and January 2, 1907. The records further show that on December 1, 1902 the Commission to the Five Civilized Tribes rendered its decision herein granting said applicant the right to enrollment as a citizen by intermarriage of the Cherokee Nation.

THE EVIDENCE IN THIS CASE SHOWS: That the applicant herein, Joseph B. Ladd, is a white man and neither claims nor possesses any right to enrollment as a citizen of the Cherokee Nation other than such right as he may have acquired by virtue of his marriage in accordance with Cherokee law April 8, 1875 to his wife, Mary Josephine Ladd, nee Vann, who was at the time of said marriage a recognized citizen by blood of the Cherokee Nation, having been admitted to citizenship therein by the duly constituted authorities of said Nation in 1874, and whose name is included on the approved partial roll of citizens by blood of the Cherokee Nation opposite No. 26794. It is further shown that in 1877 the said Joseph B. Ladd and Mary Josephine Ladd removed to the State of Kentucky where they resided for a period of about three years, returning to the Cherokee Nation in 1880; that said removal was made with no definite intention of returning to the Cherokee Nation or retaining their home in said Nation; that said removal therefrom and continued residence in the State of Kentucky constituted an abandonment of their citizenship in the Cherokee Nation. It is also shown that from the time of their marriage the said Joseph B. Ladd and Mary Josephine Ladd resided together as husband and wife and continuously lived in the Cherokee Nation up to and including September 1, 1902. Neither the applicant herein, Joseph B. Ladd, nor his wife, the said Mary Josephine Ladd, can be identified on the Cherokee authenticated tribal roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That the decision rendered by the Commission to the Five Civilized Tribes December 1, 1902, granting the application for the enrollment of Joseph B. Ladd as a citizen by intermarriage of the Cherokee Nation, be rescinded, set aside and held for naught, and that in accordance with the decision of the Supreme Court of the United States dated November 5, 1906 in the cases of Daniel Red Bird, et al. vs. the United States, Nos. 125, 126, 127 and 128, the said applicant, Joseph B. Ladd is not entitled, under the provisions of Section Twenty-one of the Act of Congress approved June 28, 1898 (30 Stats. 495), to enrollment as a citizen by intermarriage of the Cherokee Nation, and his application for enrollment as such is accordingly denied.

Dated at Muskogee, Indian Territory

this _____.

Commissioner.

COMMISSIONERS
STANDY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 11, 1902

Mr. Joseph B. Ladd,

Grove, Indian Territory,

Sir:-

You are hereby notified that the application of yourself, your wife and six minor children

for enrollment as citizen ~~of~~ the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee 2-670
Register.

Acting Chairman.

D 476

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 24 1902

Cherokee D-470
Cherokee D-1148

Muskogee, Indian Territory, March 13, 1902.

Mr. George E. McCulloch, Esq.,
Vinita, Indian Territory.

Dear Sir:-

The Commission is in receipt of your recent letter without date, stating that on account of illness you desire the time allowed for filing briefs in the application for enrollment as Cherokee citizens of Joseph B. Ladd et al, and John Dickson extended 30 days.

In reply, you are advised that the time for filing briefs in these cases has been extended as you request. In the case of Ruddick Ned Edgerton no limit seems to have been fixed for the filing of briefs and you are advised that you will be allowed until March 31, in which to file brief in this case.

Yours truly,

Commissioner in Charge.

COPY.

Cherokee D-470.
Cherokee D-473.

Muskogee, Indian Territory, December 20, 1907.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Joseph B. Ladd, et al, embracing the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation; and the application of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated December 1, 1907, granting said applications.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is inclosed.

Respectfully,

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Encl. H.Bill.

COPY.

Cherokee D-470.

Muskogee, Indian Territory, December 20, 1902.

G. E. McCulloch,

Attorney for Joseph B. Ladd, et al,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the record of supplementary proceedings had in the matter of the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated December 1, 1902, granting, among others, his said application.

[illegible] with a copy of the record of proceedings had in the original application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicant by the attorney for the nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

X

COPY.

-2-

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

F. D.

Commissioner in Charge.

Enc. H-411.

Register.

Cherokee D-470.

Muskogee, Indian Territory, December 20, 1902.

Joseph B. Ladd,

Grove, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting, among others, your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Mary J., and your six minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation.

There has heretofore been furnished your attorney, G. M. McCulloch, Vinita, Indian Territory, a copy of the record of proceedings had in the original application, and there has this day been forwarded to him a copy of the record of supplementary proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

X

COPY

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles

Commissioner in Charge.

Enc. K-419.

Register.

Cherokee D-470.
Cherokee D-473.

Muskogee, Indian Territory, December 20, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry R., James B., Dale E., Clara L. and Hattie P. Ladd, as citizens by blood of the Cherokee Nation; and the application of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, a copy of which decision was furnished you December 2, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

C. C. McCoy.

Commissioner in Charge.

(Copy)

Refer in reply
to the following:
Land
76,077-1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan.16,1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted, herewith, the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Joseph B. Ladd for the enrollment of his wife, Mary J. Ladd, and his minor children, Burnett A., Henry E., James D., Tula May, Clara L., and Mattie Pearl Ladd, as citizens by blood of the Cherokee Nation, and for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Consolidated with this case is also the application of James W. Baker for the enrollment of his wife, Maud Baker, and her minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation.

The record evidence in this case shows that the said Joseph B. Ladd was married under a Cherokee marriage license, in accordance with the laws of the Cherokee Nation, in April 1878, to one Mary J. Vann; that the Cherokee tribal rolls in the possession of the commission show that said Joseph B. Ladd is identified on the Cherokee census rolls of 1880 and 1896; that

his wife, Mary J. Ladd, is identified on the Cherokee pay rolls of 1883, 1886 and 1894, and on the Cherokee census rolls of 1890 and 1896; that his child, Burnett A. Ladd, is identified on the Cherokee pay rolls of 1886 and 1894 and the Cherokee census rolls of 1890 and 1896; that his children Henry H. and James B. Ladd, are identified on the strip payment roll of 1894 and the Cherokee census rolls of 1890 and 1896; that his children, Tuly May and Clarence L. Ladd, are identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896, and that Mattie Pearl Ladd is identified by birth affidavit, made a part of the record herein.

The evidence further shows that the above named Maud Baker, wife of James W. Baker, is the daughter of Joseph H. Ladd and Mary J. Ladd, and that the tribal rolls in the possession of the commission show that said Maud Baker is identified on the Cherokee pay rolls of 1883 and 1886 and on the Cherokee census rolls of 1890 and 1896; that she was married to her husband, James W. Baker, in 1898 and that the child, Goldie H. Baker, is the issue of that marriage, and that Goldie H. Baker is identified by birth affidavit on file and made a part of this record.

The evidence further shows that none of the above adult applicants appear on the authenticated tribal roll of 1880.

The record evidence further shows that said Joseph H. Ladd and his wife, Mary J. Ladd, remained in the Cherokee Nation

about two years following their marriage; that in the spring of 1877 they went to Kentucky and returned to the Cherokee Nation in November 1880, where they have resided and been living together as husband and wife up to and including September 1, 1902.

Both Maud Baker and the other children of said Joseph B. Ladd and Mary J. Ladd, herein mentioned, have resided in the Cherokee Nation since the date of their birth.

The Commission in its decision rendered December 1, 1902, cites Article 2 of the treaty concluded between the United States and the Cherokee Nation at Tahlequah, Indian Territory, December 19, 1891, approved by the Principal Chief on January 4, 1892, and ratified by Act of Congress approved March 3, 1893, (27 Stats., L. 612-641), providing as follows:

"For and in consideration of the above cession and relinquishment, the United States agrees:

First. That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or acts of Congress, shall

be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

Commenting upon this provision the commission say that from an examination of lists of intruders and unauthorized persons residing in the Cherokee Nation furnished by the principal Chief pursuant to said treaty, which lists bear date of 1893, and are now in the possession of the commission, it appears that the names of none of said applicants are found thereon; that on the contrary Joseph B. Ladd is identified on the tribal census roll and his wife, Mary J. Ladd, is identified on the tribal roll of said nation since their return from Kentucky; that it is the opinion of the commission that Joseph B. Ladd should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Mary J. Ladd and the others (names given) should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495).

The office cannot see wherein the provisions of said article 2 of the treaty between the United States and the Cherokee Nation, concluded on December 19, 1891, has anything to do with this application.

The fact that the names of the applicants, Joseph B. Ladd

and those of his wife and children, are not found on the lists of intruders and unauthorized persons bearing date of 1893, taken under said provision of said treaty, is no proof whatever that they are citizens of the Cherokee Nation by blood, or otherwise, nor does the office consider the fact that they are not found upon the Cherokee roll of 1880 any bar to their rights as citizens of the Cherokee Nation.

The protest of the Cherokee Nation to the decision of the commission herein dwells particularly upon the fact that the names of the applicants are not found upon the authenticated roll of 1880. From this protest one would infer that the only Cherokee citizen who could be enrolled is one whose name is found upon said roll.

Section 21 of the act of June 28, 1898, (30 Stats., 495), is still in force so far as applicants for admission to citizenship in the Cherokee Nation are concerned. That section provides in part, in speaking of Cherokee citizenship, that they (the commission) shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

If this provision of that section means anything it means that the commission is not bound by the Cherokee authenticated roll of 1880. From the language of that section the only thing

the commission has to do with said roll of 1880 is to enroll all persons now living whose names are found on said rolls, for said section says that the roll of 1880 is confirmed by the Act of Congress. After such confirmation it is difficult to see how any other authority can pass upon the rights of persons whose names appear thereon, but it is quite evident that Congress did not intend to limit Cherokee citizenship to those persons whose names appear upon said roll of 1880, for while it confirmed that roll and stamped every person whose name appears thereon as a citizen of the Cherokee Nation, it made further provision for persons whose names are found on any other roll of the Cherokee Nation.

The record evidence in this case shows that these applicants are all on one or more rolls of the Cherokee Nation or are the descendants of those who are so enrolled, born since such rolls were made.

It is therefore the opinion of the office that these applicants are clearly entitled to be enrolled as citizens of the Cherokee Nation under said section 21 of the Act of June 28, 1898, and to that extent the office recommends that the decision of the commission be approved and affirmed, but it does not consider that the reasons assigned by the commission for its decision in said case are sufficient to support said decision.

Very respectfully,

W. A. Jones,
Commissioner.

(W.C.B.)

P.

D. C. 3246-1903. J.P.

DEPARTMENT OF THE INTERIOR,

FEB

WASHINGTON.

I.T.D. 448-1903.

January 30, 1903.

EBS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Joseph B. Ladd, for the enrollment of his wife, Mary J. Ladd, and his minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation, and for the enrollment of himself as a citizen of said nation by intermarriage; also the case consolidated therewith of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of said Nation.

On December 1, 1902, you decided in favor of the applicants, and transmitted the papers in the case December 20, 1902.

The Nation protests against your decision.

It appears, as stated by the attorney for the Nation, that Joseph B. Ladd, a white man, married into the

Cherokee Nation in 1875, having previously, about 1874 or 1875, married his wife in Kentucky; that he and his wife remained in the Cherokee Nation about two years following their marriage, when in the spring of 1877 they went to Kentucky; that they returned to the Cherokee Nation in November, 1880, too late to be placed upon the 1880 roll, where they have since resided with their children.

Maud Baker is the child of Joseph E. Ladd and his wife, Mary.

Submitting the case January 16, 1903, the Commissioner of Indian Affairs concluded that the parties should be enrolled for reasons given by him.

None of the adult applicants appear upon the 1880 authenticated tribal roll confirmed by the act of June 28, 1898 (30 Stat., 495), though they are on various rolls made since that time, not confirmed by said act.

You referred by quotation to article 2 of the "treaty" between the United States and the Cherokee Nation, ratified by the act of March 3, 1893 (27 Stat., 612-641), but the Department agrees with the Commissioner of Indian Affairs that this article of the agreement has little, if any bearing on this case.

All of said children are on census and pay rolls of the Cherokee Nation made since 1880 except Hattie P. Ladd and Goldie M. Baker, but they are identified by birth affidavits.

The main contention of the Nation is that as the Cherokee constitution provides:

> "That whenever any citizen shall remove with his effects out of the limits of this Nation and become a citizen of another government, all his rights and priviliges as a citizen of this Nation shall cease."

Ladd and his wife de-citizenized themselves by removing to Kentucky and residing there over three years; that as it appears they have not been readmitted to citizenship, neither they nor their children and grand-child are entitled to be enrolled.

The Department concludes that the applicants should be enrolled, but not on the ground as stated by you or the Indian Office.

While Ladd did not remain continually in the Cherokee Nation, to use the language of the Department in its decision of January 24, 1903, in the case of Milam C. Smith, there is nothing in the testimony presented to show that Ladd ever exercised or claimed any rights as a citizen of Kentucky. The mere fact that he was absent from the Cherokee Nation for a space of a little over three years is not sufficient to justify the conclusion that he had abjured his Cherokee citizenship.

Your decision is affirmed for the reasons herein stated, and you are authorized to enroll the applicants in

the absence of any other objection. A copy of the Commissioner's letter is inclosed.

Respectfully,

(signed) Thos Ryan
Acting Secretary.

1 inclosure.

COPY

Cherokee B-470-3.

Muskogee, Indian Territory, February 11, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry L., James B., Tula M., Clara L. and Nettie P. Ladd, as citizens by blood of the Cherokee Nation, and the application of James W. Baker for the enrollment of his wife, Hand Baker, and his minor child, Cobbie E. Baker, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1903.

Respectfully,

Tams Bixby,

Acting Chairman.

Cherokee 3-671

COPY

Muskogee, Indian Territory, February 11, 1903.

James W. Baker,

Fairland, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting, among others, your application for the enrollment of your wife, Maud Baker, and your minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 30, 1903.

Respectfully,

Tams Bixby.
Acting Chairman.

Cherokee
10091

Cherokee
10091

Muskogee, Indian Territory, December 21, 1906.

Joseph B. Ladd,

Warcissa, Indian Territory.

Dear Sir:

November 6, 1906, the United States Supreme Court held that white persons who intermarried with Cherokee citizens according to Cherokee law prior to November 1, 1875, are entitled to enrollment and allotments of land as citizens of the Cherokee Nation.

You are advised that to properly determine your right to enrollment as a citizen by intermarriage of the Cherokee Nation, it will be necessary for you to appear before the Commissioner for the purpose of giving testimony as to the date of your marriage and whether or not your wife, by reason of your marriage to whom you claim the right to enrollment as a citizen of the Cherokee Nation, was a recognized citizen of the Cherokee Nation at the time of your marriage to her, and whether or not you were married to her in accordance with Cherokee laws.

You are, therefore, directed to appear before the Commissioner at Muskogee, Indian Territory, at 9 o'clock A. M., on Wednesday, January 2, 1907, and give testimony as above indicated.

Respectfully,

J.M.M.

Acting Commissioner.

Cherokee 10091

Muskogee, Indian Territory, February 26, 1907.

Joseph B. Ladd,

Marietta, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 26, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Enc. E-20 Commissioner.

EE

Register.

Muskogee, Indian Territory, February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings had in the matter of the application for the enrollment of Joseph R. Ladd as a citizen by intermarriage of the Cherokee Nation, together with the Commissioner's decision dated February 22, 1907, denying said application.

Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

Incl.-9-27-L68.

Cherokee 10981

Muskogee, Indian Territory, February 28, 1907.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear sir:

There is enclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 28, 1907, rejecting the application for the enrollment of Joseph B. Ladd as a citizen by intermarriage of the Cherokee Nation.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Enc. M-19

Commissioner.

SPECIAL. FHE.
JYJr.

D.C. 12277-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

I.T.D. 8034-1907. March 4, 1907.

LRS.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The Department hereby affirms your decisions adverse to the applicants in the following Intermarried Cherokee enrollment cases, received with your letters of February 28, 1907, and Indian Office letter of March 4, 1907 (Land 21892 et al), copy inclosed, viz:

Mary M. Reese
Josephine A. Thompson
Joseph B. Ladd.

Relative to the Sarah A. Jordan case, also received with said Indian Office letter, the Department, concurring in the recommendation of the Indian Office, considers that said Jordan is entitled to enrollment as an intermarried Cherokee, in view of the opinion of the Attorney General in the Gleason case, and that of the Assistant Attorney General in the Bartles case. Your decision as to her, dated February 26, 1907, is accordingly reversed, and you are directed to enroll said Sarah A. Jordan as a citizen by intermarriage of the Cherokee Nation.

The papers in all the cases mentioned have been sent to the Indian Office with a copy hereof.

Respectfully,

James R. Wilson,

Acting Secretary.

1 inc. and
__ for Ind Of. with
copy hereof.
AFMc. 3-4-07.

Muskogee 10081

COPY

Muskogee, Indian Territory, March 21, 1907.

Joseph B. Lash,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commission to the Five Civilized Tribes, dated February 26, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was approved by the Secretary of the Interior, March 4, 1907.

Respectfully,

Chas D Fant

Commissioner.

Encl.E-100
JEH

COPY

Cherokee 10691

Muskogee, Indian Territory, March 24, 1907.

W. B. McCulloch,
Attorney for Joseph B. Ladd,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 20, 1907, rejecting the application for the enrollment of Joseph B. Ladd, as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, March 4, 1907.

For your information, there is enclosed herewith a copy of Departmental Decision referred to.

Respectfully,

SIGNED Tams Bixby.

Commissioner.

Encl.E-161
JGH

[redacted]

[redacted] COPY

Washington, Indian Territory, March 22, 1897.

E. E. Hastings,

Attorney for Cherokee Nation,

Washington, Indian Territory.

Dear Sir:

You are hereby advised that the decisions of this Commissioner in the Dora Strickland Orphan, dated February 20, 1897, rejecting the applications for the enrollment of Mary E. Bowen, Josephine A. Thompson and Joseph B. Ladd, as children by intermarriage of the Cherokee Nation, were affirmed, and decision of February 20, 1897, rejecting the application for the enrollment of Sarah A. Jordan, as a citizen by intermarriage, was reversed by the Secretary of the Interior, March 4, 1897.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

SIGNED Tams Bixby

Commissioner.

[redacted]

13202-1909

Law Offices of
Kappler & Merillat
Attorneys and Counsellors at Law
Bond Building.

Washington, D.C. May 10, 1909.

The Honorable,

The Secretary of the Interior,

Washington, D.C.

Sir:-

As attorneys for J. B. Ladd, entitled to enrollment as a Cherokee, we respectfully make demand that you cause his name to be restored and placed on the final rolls of the Cherokee Nation, and desire to give notice that in default we will be compelled to take such steps in court or otherwise as may seem necessary.

In this connection we are advised by our client that while he is in possession of the land, other parties are claiming it, and are threatening his rights. We respectfully request an early answer to this letter, and that the Commissioner to the Five Civilized Tribes be instructed meanwhile to keep this matter in statu quo and not permit anything to be done that will interfere with or jeopardize the rights of our client.

Yours respectfully,

(Signed) Kappler & Merillat.

LY

Dept of the Interior, Received May 12, 1909 to Indian Office. Secy's Off. Files
" " " " May 11, 1909 to Asst. Atty. Gen'l's Files. Secy's Off.
Office of Indian Affairs Rec. May 12, 1909. File 36512

RM 2

1-27812

766-1909. 1

DEPARTMENT OF THE INTERIOR.

WASHINGTON, May 24, 1909.

G.R.

Land
36512-1909
J E D

JM
WRS 1

Enrollment case
of J. B. Ladd.

The Commissioner

to the Five Civilized Tribes,

Muskogee, Oklahoma.

Sir:

Inclosed herewith is a letter dated May 10, 1909, from Messrs. Kappler & Merillat, attorneys at law, of this city, requesting the Secretary of the Interior to cause the name of Mr. J. B. Ladd to be restored and placed on the final rolls of the Cherokee Nation.

On January 30, 1903, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated December 1, 1902 in favor of Joseph B. Ladd, his wife and minor children named therein.

On February 28, 1907, the Commissioner to the Five Civilized Tribes, referring to the above mentioned decision, held, after taking additional testimony in the case, that in accordance with the decision of November 5, 1906, of the Supreme Court of the United States in the case of Daniel Redbird, et al.,

L-36512-2

vs. The United States (203 U. S., 76), the applicant, Joseph B. Ladd, under the provisions of section 21 of the Act of Congress approved June 28, 1898 (30 Stat. L., 495), was not entitled to enrollment as a citizen by marriage of the Cherokee Nation, and therefore rescinded the decision of the Commission dated December 1, 1902, as to Joseph B. Ladd, and denied his application for enrollment. This decision was affirmed by the Department on March 4, 1907.

Before final action is taken in the matter requested by Messrs. Kappler & Merillat, you are requested to prepare a report thereon, based upon the records of your office, and transmit it through the Indian Office, to the end that the recommendation of the Commissioner of Indian Affairs may also be furnished. The report should follow the general instructions contained in Department letter of March 19, 1909 (File 5-51), and should include all other facts touching upon the enrollment and allotment claim of Joseph B. Ladd.

Pending the preparation of the report and final action thereon, you are directed to take necessary steps to prevent any certificate of allotment or patent being issued or recorded for the land in possession of the above-named person.

Very respectfully,

(Signed)Frank Pierce

First Assistant Secretary.

TPH-SD
1262

Cherokee.

Muskogee, Oklahoma, May 29, 1909.

Subject:
Enrollment case of
Joseph R. Ladd.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to acknowledge receipt of Departmental letter of May 24 (Land 34813-1909, J.R.D.), transmitting letter of Kappler & Merrilat of May 10, 1909, demanding the restoration to the final rolls of the Cherokee Nation of the name of J. R. Ladd. I am directed to make a report in this case following the general instructions in Departmental letter of March 15, 1909 (File 5-51). Pending Departmental action in this matter I am directed to take proper steps to prevent the issuance of certificates or deeds to any other citizen of the Cherokee Nation covering the land claimed by J. R. Ladd.

Joseph R. Ladd appears to have been an applicant for enrollment as a citizen of the Cherokee Nation by intermarriage, his name being found on Census Card No. 10091 with the names of his wife and children, which appear opposite numbers 24794 to 24800, inclusive.

In the following report the paragraphs are answers to and numbered in accordance with the questions in Departmental letter of February 25, 1909.

(1) The name Joseph B. Ladd is found on the Cherokee Census Rolls of 1890 and 1896. His wife, Mary J. Ladd, is identified on the Pay Rolls of 1883, 1886 and 1894, and the Census Rolls of 1890 and 1896, and her father, with his family, was admitted to citizenship in the Cherokee Nation by an Act of the Cherokee Council of November 30, 1874.

(2) On December 1, 1902, the Commission to the Five Civilized Tribes granted the application for the enrollment of Joseph B. Ladd, his wife and children. The Cherokee Nation protesting, the decision was forwarded to the Commissioner of Indian Affairs for review, and on January 16, 1903 (Land 76077-1902), the Commissioner of Indian Affairs recommended the approval of the decision of the Commission. On January 30, 1903 (I. T. D. 448-1903), the Acting Secretary of the Interior approved this decision and directed the enrollment of the applicants.

In accordance with this decision the names of all the applicants in this case, except that of Joseph B. Ladd, were placed upon a partial schedule of citizens of the Cherokee Nation which was approved by the Secretary of the Interior on

May 6, 1903. The name of Joseph R. Ladd was omitted from this schedule for the reason that prior to its preparation the suit entitled Daniel Red Bird, et al., vs. the United States had been filed, in consequence of which action on applications for the enrollment of intermarried claimants was suspended.

Subsequent to the decision of November 5, 1906, of the Supreme Court in this case, new hearings were had on all applications of this nature, and a hearing in the case of Joseph R. Ladd was had on January 2, 1907. On February 26, 1907, the Commissioner to the Five Civilized Tribes entered an order denying his application for enrollment, which action was approved by the Department on March 4, 1907 (I. T. D. 8034-1907).

(3 & 4) No action in this case appears to have been taken under the provisions of the Act of June 10, 1896.

(5) No selection of allotment has been made for Joseph R. Ladd. He has, however, indicated to the office that he owns improvements on the

E/2 of NE/4 of NW/4, and
E/2 of SW/4 of NW/4, Section 35,
Township 27 North, Range 22 East.

(6) The appearance of Joseph R. Ladd for the purpose of submitting testimony on January 2, 1907, is evidence of the fact that he was advised that his case was not then finally adjudicated.

(V) The action of the Commissioner to the Five Civilized Tribes and the Department of the Interior in denying the application for the enrollment of Joseph B. Ladd in 1907 can scarcely be construed upon consideration of the decision of 1903 granting his application for enrollment, as the decision of the Supreme Court in the Red Bird case made void all previous action in cases of this nature, providing an entirely new standard by which the claims of applicants for enrollment by intermarriage must be measured.

The decision of the Commissioner to the Five Civilized Tribes rejecting this applicant holds that the applicant is not entitled under the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495). In what particular the applicant failed to prove his right to enrollment is not set forth, and it can only be presumed that the Commissioner held that he had forfeited his right to enrollment by reason of the fact that he removed, with his family, from Indian Territory in 1897 and resided outside the limits of the Cherokee Nation for a space of three years, returning in 1900, this being the ground upon which the attorney for the Cherokee Nation protested against the approval of the decision of this office of December 1, 1902.

An examination of the whole record in this case leaves no doubt that the decision of February 24, 1897, denying

the application of Joseph B. Ladd for enrollment is erroneous. There is absolutely no difference in the nature of the claims of Joseph B. Ladd and his wife, Mary J. Ladd, to be enrolled as citizens of the Cherokee Nation, except that the former claims by intermarriage and, consequently, derives his right from his wife.

In the original record in this case, made prior to the decision of December 1, 1902, full and complete evidence is found as to the admission and recognition of Mary J. Ladd as a citizen of the Cherokee Nation; of their marriage in accordance with the laws and usages of the Cherokee Nation in April, 1875; and of their having maintained the marriage relation uninterruptedly from that time to the date of their application for enrollment.

This was evidently in mind at the time of Ladd's appearance on January 2, 1907, the examination on that date appearing to have been merely perfunctory, little to the point, and nothing new having been brought out. Apparently, however, this evidence alone was considered in the preparation of the order of February 28, 1907, as in no other way can the preparation of this order be explained, for the evidence of record shows is conclusive beyond any question whatever of the right of Joseph B. Ladd to enrollment as an intermarried citizen of the Cherokee Nation under the terms of the decree of the Supreme

Court in the Red Bird case, and under the provisions of Section 21 of the Act of Congress approved June 26, 1906.

The only question that could have arisen in the mind of any person examining this record was that of forfeiture, and this was effectually disposed of in the original decision thereby the wife and children of this applicant were enrolled.

Notwithstanding these facts it remains that this name having never been placed on the rolls of Cherokees by blood or intermarriage cannot be restored, and it does not now appear to me how, in the face of the language of the Act of April 26, 1906, this or any other name can be added to these rolls, but if, as the Department has intimated, it is found there is a way to grant relief in such cases, this one is most meritorious.

Application has been made to file on the land heretofore described as being that upon which Joseph B. Ladd claims to own improvements, but no certificates or deeds have been issued nor will be until further advice from the Department.

A copy of this letter has been furnished the attorney for the Cherokee Nation, and the letter of Keppler & Merrill is returned herewith.

The complete record in this case is on file in the office of Indian Affairs.

Respectfully,

WTM (JAM)
Encl. 29-1.

Through the Commissioner of Indian Affairs.

Acting Commissioner.

Land [illegible] L-21374 (Supp) L.
[illegible]
J R B

Enrollment cases of
Wm. H. Redd.

AUG 18 1909

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of May 24, 1909, there was transmitted herewith a report of May 20, 1909, from the Acting Commissioner to the Five Civilized Tribes relative to the Cherokee enrollment cases of Joseph B. Ladd. The record and other papers were also inclosed.

In view of Department decision of August 9, 1909, in the cases of Wm. T. Beasley, et al., the office is of the opinion that the cases of Joseph B. Ladd is not analogous to that of Allen E. Goldsby, decided by the Supreme Court of the United States on November 30, 1908 (211 U. S. 249). The Office, therefore, recommends that no action be taken by the Department looking to the enrollment of Joseph B. Ladd as an intermarried citizen of the Cherokee Nation.

Very respectfully,

(Signed) F. H. Abbott,

Acting Commissioner.

AS-DE
[illegible]

Cases to Five Nations.
No. [illegible].
Rec'd Dec. 31, 1908.

M.M.W. (Copy) J.M.H.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

D-8837 DEC 7 1909

The Commissioner

of Indian Affairs.

Sir:

The Department has considered the enrollment case of Joseph B. Ladd, transmitted with your office report of August 18, 1909 (Land 42903-1909), with a view to determining whether the applicant should be accorded the status of a recognized citizen of the Cherokee Nation.

The records of the Commissioner of the Five Civilized Tribes show that a decision was rendered by the Commission to the Five Civilized Tribes December 1, 1902, granting the application for the enrollment of Joseph B. Ladd, his wife and children. January 16, 1903, the Commissioner of Indian Affairs forwarded the case with the recommendation that decision of the Commission be approved. The Department, January 28, 1903, approved said decision and directed the enrollment of the applicants.

Pursuant to this decision the names of all the applicants in the case except that of Joseph B. Ladd were placed upon a partial schedule of citizens of the Cherokee Nation, which schedule was approved by the Secretary of the Interior May 6, 1903. The name of Joseph B. Ladd was omitted from the schedule for the reason that prior to its preparation the suit entitled Daniel Red Bird et al v. United States had been filed, in

consequence of which applications for enrollment of intermarried claimants were suspended.

Subsequent to decision of November 5, 1906, of the United States Supreme Court, relating to the Red Bird case, new hearings were had on all applications of intermarried claimants. A hearing was had in the case of Joseph B. Ladd January 2, 1907. February 28, 1907, the Commissioner to the Five Civilized Tribes entered an order denying his application for enrollment, which action was approved by the Department March 4, 1907. It does not appear that any action was taken by the Secretary of the Interior to rescind his decision of December 1, 1902, in favor of Joseph B. Ladd, except that it may be inferred that such was his intention when he affirmed the subsequent decision of the Commissioner to the Five Civilized Tribes adverse to the applicant.

Your office is of the opinion that in view of Departmental decision of August 9, 1909, in the case of William T. Beaver, et al, the case of Joseph B. Ladd is not analagous to that of John E. Goldsby, decision by the Supreme Court of the United States November 30, 1908 (211 U. S., 249), and therefore recommends that no action be taken by the Department looking to the enrollment of Joseph B. Ladd as an intermarried citizen of the Cherokee Nation.

Following the ruling [illegible] by your office, the Department must decline to accord to the applicant the status of a recognized citizen of the Cherokee Nation. It is from the

legislative rather than the Executive branch of the Government that relief must come, if at all.

The papers are herewith returned.

Very respectfully,

(Signed) Frank Pierce,

First Assistant Secretary.

Cherokee
10091.

Muskogee, Oklahoma, November 17, 1909.

Mr. Joseph M. Ladd,

Narcissa, Oklahoma.

Sir:

There is enclosed herewith a copy of Departmental letter of December 7, 1909, declining to take any action in the matter of your enrollment as a citizen of the Cherokee Nation.

Respectfully,

WHBM (LMA)

Encl. 17-2.

Acting Commissioner.

Cher 10092

Maude Baker

Trans. from D473

Cher 10092

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I. T., SEPTEMBER 29th, 1900.

IN THE MATTER OF THE APPLICATION BY James W. Baker for the enrollment of his wife and child as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A James W. Baker.
Q What is your age? A Twenty three.
Q What is your Postoffice? A Fairland.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the roll? A My wife and one child.
Q Yourself? A No sir.
Q Just your wife and one child? A Yes sir.
Q Is your wife a Cherokee by blood? A yes sir.
Q How old is your wife? A Nineteen.
Q What is her present name? A Maud Baker.
Q What was her maiden name? A Maud Ladd.
Q What was her name when you married her? A Yes sir.
Q Have you a certificate of marriage? A No sir.
Q When did you marry her? A November, 1898.
Q What is the name of her father? A J. B. Ladd.
Q Dead or living? A Living.
Q Her mother's name? A Mary Jane Ladd/
Q Dead or living? A Living.
Q Is her mother a Cherokee or white woman? A Cherokee.
Q Give me the name of the child? A Goldie M. Baker.
Q How old is that child? A Four months old.
(1896 Roll, Page 496, #1885, Rose E. M. Ladd, Delaware D'st)
Q ~~Commissioner~~ Your wifes father came to the Cherokee Nation about 1875, did he not, and married her mother? A Yes sir.
Q Married her here and took her to Kentucky? A He married her in Kentucky I think.
Q He went back before 1880, did he? A Yes sir; 1877 I think.
Q So neither he, nor his wife are on the roll of 1880? A No sir.
Q And they came back in the Fall of 1880, did they? A Yes sir.
Q And have lived here ever since? A Yes sir.
Q And are on the roll of 1896? A yes sir.
Q Was your wife born after they came back? A Yes sir; in the Spring after they came back in the Fall of 1880.
Q In the Spring of 1881? A Yes sir.
Q Who here know your wife? A My father in law is here.

Joseph B. Ladd, being called, sworn and examined by Commissioner, C. R. Breckinridge, ~~testificdx~~ as follows:
Q Give your name? A Joseph B. Ladd.
Q Your age? A Fifty.
Q Your Postoffice? A Grove.
Q Do you know James W. Baker here? A Yes sir.
Q His wife is your daughter? A Yes sir.
Q She was Maud Ladd? A Yes sir.
Q She is married to him? A Yes sir; supposed to be.
Q Married about two years ago? A Yes sir! They ran off and married; I suppose they are married.
Q They have been living like they were married, have they?
A Yes sir.

Applicant recalled:
The applicant applies for the enrollment of his wife and one child. His wife is identified on the roll of 1896, under her maiden name, and her marriage is established by the personal testimony of the applicant, and her father. For reasons set forth in the testimony, the applicant's wife will now be listed as a Cher-

okee by blood upon a doubtful card, for the special consideration of several points that will occur in reading the testimony; and when the Commission is supplied with a proper certificate of the birth of her child, Goldie M. Baker, this child also will be listed as a Cherokee by blood, with its mother, on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Reynolds

Subscribed and sworn to before
me this 2nd day of October, 1906.

COMMISSIONER.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 20 1900

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 20 1900 1900.

~~23 James H. Baker~~ Fairland I.T.

District ... Year ... Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ...

1 2p Wade Baker ... 496 ~~479~~ 1853

District DELAWARE Year 1896 Page ... No. ...

Citizen by blood ... Mother's citizenship J. B. Ladd — w — l

Intermarried citizen ... Mary J. " — c — l

Married under what law ... Date of marriage 1898

License ... Certificate ...

Names of Children:

2 Goldie M. Baker Dist. — Year — Page — No. — Age 4 mo.

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 Ap. 96 Roll 24 Rose E. M. Ladd.

2 Affidavit to be supplied

Re testimony in case of J. B. Ladd, et al

DH 73

Department of [illegible]
Commission to the [illegible]
Vinita, I.T., Sept[illegible]

In the matter of the application of [illegible] for enrollment of himself, wife and [illegible] children, being sworn and examined by Commissioner [illegible] testified as follows:

Q Give me your full name? A [illegible]
Q How old are you Mr. Lade? A [illegible]
Q What is your post-office? A [illegible]
Q In what district do you live? A [illegible]
Q What is it you want to have put on the roll, you and yourself and family.
Q That means your wife and how many children [illegible] eight children, but there is two of them not [illegible]
Q Six that are under age and unmarried and a [illegible]
Q Do you apply for yourself as a Cherokee by blood? A [illegible]
Q White man? A Yes sir.
Q Your wife is a Cherokee? A Yes sir
Q Show me your marriage license and [illegible] A [illegible] them out; I kept them until they were out.
Q You were married before 1880? A Yes sir, I was married [illegible]
Q You are on the roll of 1880? A I don't know sir, I was in Kentucky in 1880; I was on the rolls before that and [illegible] since.
Q When you married in 1885 how long did you stay in [illegible]
A I staid here until the spring of 86 [illegible] back to Kentucky and staid there until the fall of 1887 and came back.
Q Then when did you get back in 1880 why didn't you get a [illegible] Cherokee admission? A I have been on the rolls since, I never got a certificate because there was no use of it.
Q When did you go to Kentucky for? A [illegible]
Q And then you concluded you wouldn't live there [illegible] and came back from Kentucky; I have been [illegible]
Q You came back from Kentucky in the fall of 1887 [illegible]
A Yes sir.
Q You went there how long after your marriage? A [illegible] spring of 1886 and I went to Kentucky in the spring [illegible]
Q Give me your wife's name? A [illegible]
Q How old is she? A About 46 years old
Q She is not on the roll of 1880 as a Cherokee? A No sir.
Q But she is on the roll of 1896 you think? A Yes sir.
Q You and she have lived together ever since your marriage in 1878? A Yes sir.
Q Now give me the names of these children? A [illegible]
Q How old is he? A I think he is 15 years old.
Q Next child? A Henry E. Lade.
Q How old is he? A He is 13 years old.
Q Next child? A [illegible] Lade.
Q How old is she? A [illegible]
Q [illegible] the next child? A [illegible]
Q How old is that child? A [illegible]
Q Next child? A [illegible]
Q How old is she? A [illegible]
Q Next child? A [illegible]
Q How old is she? A She is 3 years old.
Q That's all then? A [illegible]
Q These children were all living at the [illegible]

1896 roll page 340 #333 Joseph E. Lade
1896 roll page 496 #1861 Henry E. Lade
1896 roll page 496 #1862 Margaret [illegible]
1896 roll page 496 #1863 Henry C. [illegible]
1896 roll page 496 #1865 [illegible] Lade

Joseph N. Ladd et al

1880 roll page 496 #1857 Lula M. Ladd Delaware District;
1896 roll page 480 #1858 Clara L. Ladd
Q These six children were all born after you and your wife
turned to the Cherokee Nation? A Yes sir.

Com'r Breckinridge: The applicant applies for the enrollment of himself, wife and six children; he states that his wife is a native of the Cherokee Nation and that they were married [illegible] and that their marriage license and certificate have [illegible] yed; in 1877 he went with his wife to Kentucky, and [illegible] until [illegible] the fall of 1880, having gone for the purpose the State of Kentucky his home; he came back the late [illegible] fall of 1880, and neither he nor his wife are upon that roll. Both of them are identified on the roll of 1896; the applicant will now be placed upon a doubtful card as an intermarried Cherokee, but he will be required to furnish an official copy of his marriage license and certificate, and attention is also called to Section [illegible] Article [illegible] of the Constitution of the Cherokee Nation, in connection with the fact stated by the applicant that neither he nor his wife have ever been re-admitted by the Cherokee National Committee and Council. His wife as a native Cherokee will be placed upon a doubtful card with her husband.

Of the six children enumerated in the testimony the first five are identified with their parents on the roll of 1896; they are living at this time and they will be listed as native Cherokees upon a doubtful card. And when proper certificate is produced for the youngest child [illegible] Lattie Pearl, she will also be listed as a native Cherokee upon a doubtful card.

M.D. Green, being first duly sworn, states that as stenographer for the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 29 day of Septe ber 1900.

C R Breckinridge

Commissioner.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[illegible] as a citizen of the Cherokee Nation.

Name of child: Goldie M. Baker, born on the 16 day of May, 1900.

Name of father: James W Baker, a citizen of the Cherokee Nation.

Name of mother: Maud Baker, a citizen of the Cherokee Nation.

Postoffice: FAIRLAND, IND. TER.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Maud Baker, on oath state that I am 20 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of James W Baker, who is a citizen, by marriage of the Cherokee Nation; that a female child was born to me on the 16 day of May, 1900; that said child has been named Goldie M Baker, and is now living.

Maud Baker

WITNESSES TO MARK.

[illegible]

Subscribed and sworn to before me this [illegible] 1900.

[illegible]
COMMISSIONER.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

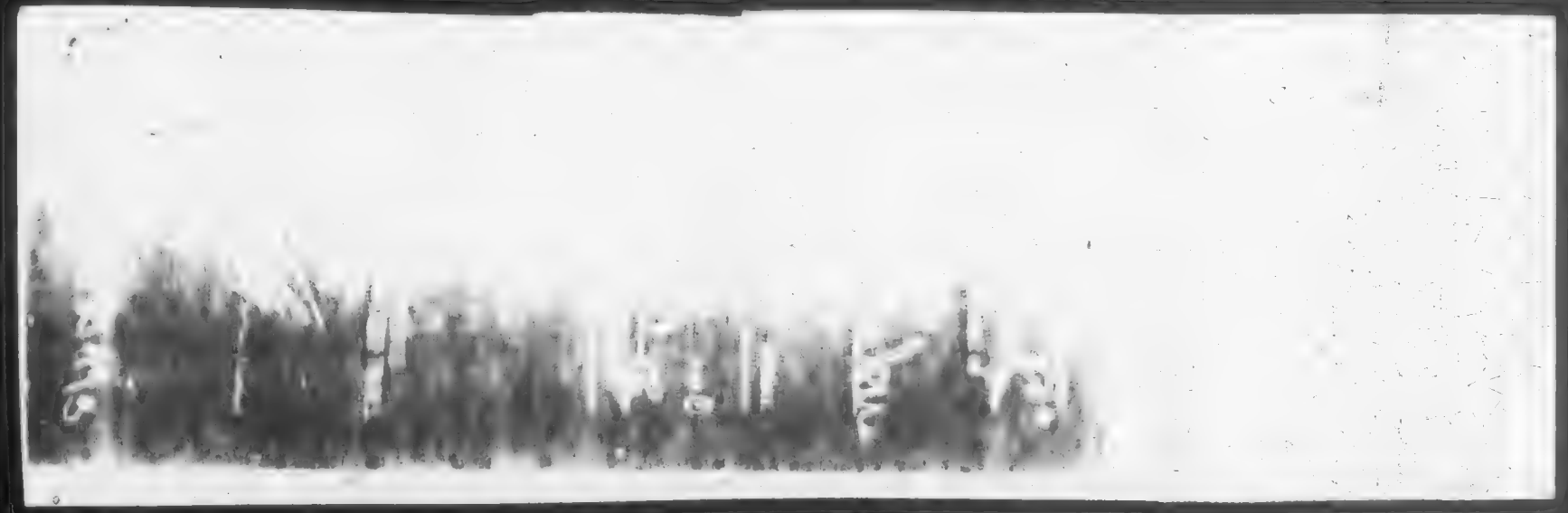
UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

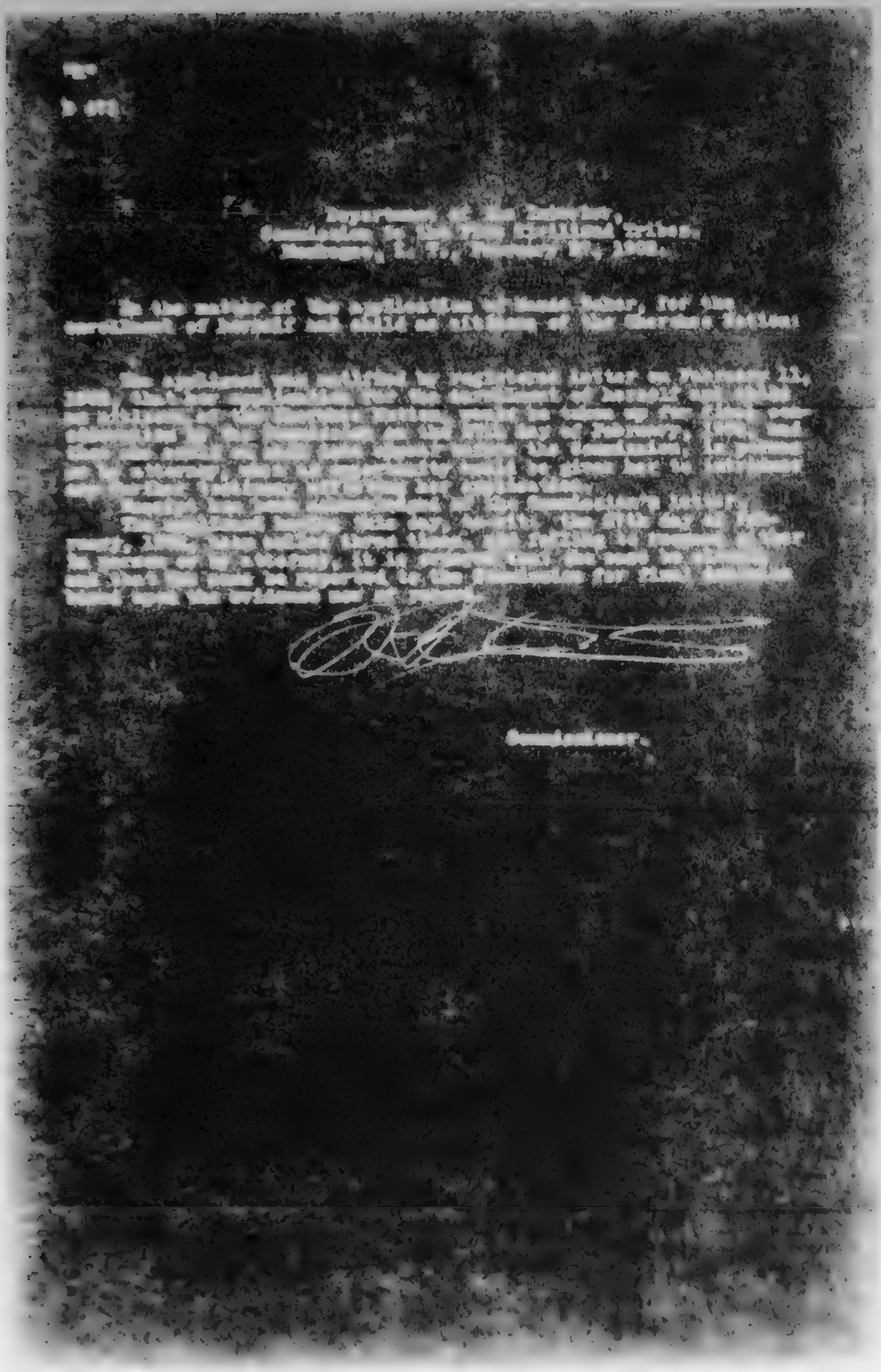
I, F. R. Deans, a Physician, on oath state that I attended on Mrs. Maud Baker, wife of James W Baker, on the 16 day of May, 1900; that there was born to her on said date a female child; that said child is now living and is said to be named Goldie M Baker.

F R Deans M.D.

JUL 14 1900

A B Smith





Cherokee D 670

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 20, 1902.

[illegible] and WITNESSES in the matter of the application of Joseph B. Ladd for the enrollment of [illegible] and children as Cherokee citizens.

Appearances:
[illegible] Mullough, Vinita, I. T., attorney for [illegible]
[illegible], attorney for the Cherokee Nation.

[illegible] The applicant was sworn by [illegible] Commissioner, and his case called for hearing on the 17th day of February, 1902, at which time [illegible] and the following proceedings were had:

[illegible]

Q [illegible]
A [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A [illegible]

Q Then at the time you moved you say you made [illegible]
back to the Territory? A Yes sir; when I got there I [illegible]
satisfied and would have come back the next fall if I [illegible]
and I had to stay until I could get full [illegible]
Things had changed there from what I supposed they was, and I
dissatisfied, and my mother was one cause; she died a year or
after I went back there and I didn't care anything [illegible]
there then.
Q You and your wife have always lived together here? A Yes
been here over 40 years, ever since the fall of [illegible]
up the end of the Territory.
Q You own outside in the Cherokee Nation do you? A Yes sir.
Q With your wife and minor children? A Yes sir.
BY MR. HASTINGS:
Q Your mother was alive when you went back to Kentucky? A Yes sir.
Q You didn't know how long she was going to live? A No sir.
Q Of course you intended to live with her there as long as she
lived? A Well I didn't know; I stayed there as long as
[illegible]
Q [illegible] your intent [illegible] No, not altogether.
Q [illegible] that you left here? A Yes sir; I left there I
[illegible] stay at home on the farm; I stayed there with
[illegible] and some of my children.
Q [illegible] sister? A Mrs Chambers he went back and lived
[illegible]
Q [illegible] your mother dying? A I was a little disappointed
with the [illegible] here.
Q [illegible] back to Kentucky to live on that farm
[illegible] A And my children; of course I
[illegible] my home and all I owned there.
Q That was [illegible] you didn't know how long you [illegible] be
living there when you left here? A No sir.
Q You might have [illegible] to have taken all of your [illegible]
didn't know when you left here? A No.
Q How much lumber did you haul back? A I left the flooring of a
house.
Q About how much would that be? A Well now you can count it, the
house was [illegible] 24 x 36 I think.
Q [illegible] flooring for that house, and the lumber was
[illegible]
Q At $2 a thousand feet, at a dollar and a quarter per
would be [illegible] of lumber; what else did you haul? A
nothing.
Q And that was? A I had a door shutter to the house I had
made myself.
Q What was that worth? A Dollar and a quarter.
Q [illegible]
Q You had that specially in mind when you left.
Q You didn't know that you [illegible] to
country? A Oh no I didn't know; I [illegible]
I got to Kentucky I said I would come back.
BY MR. MCCLINTOCK:
Q You said that you didn't know whether you
not; what did you mean? A I didn't
the PO.
Q Didn't know whether you would live to
didn't know whether I would live to come back or
cluded as soon as I got to Kentucky that I would
BY MR. HASTINGS:
Q That was after you got to Kentucky? A Yes sir.
Q But when you left here you didn't know? A No sir.

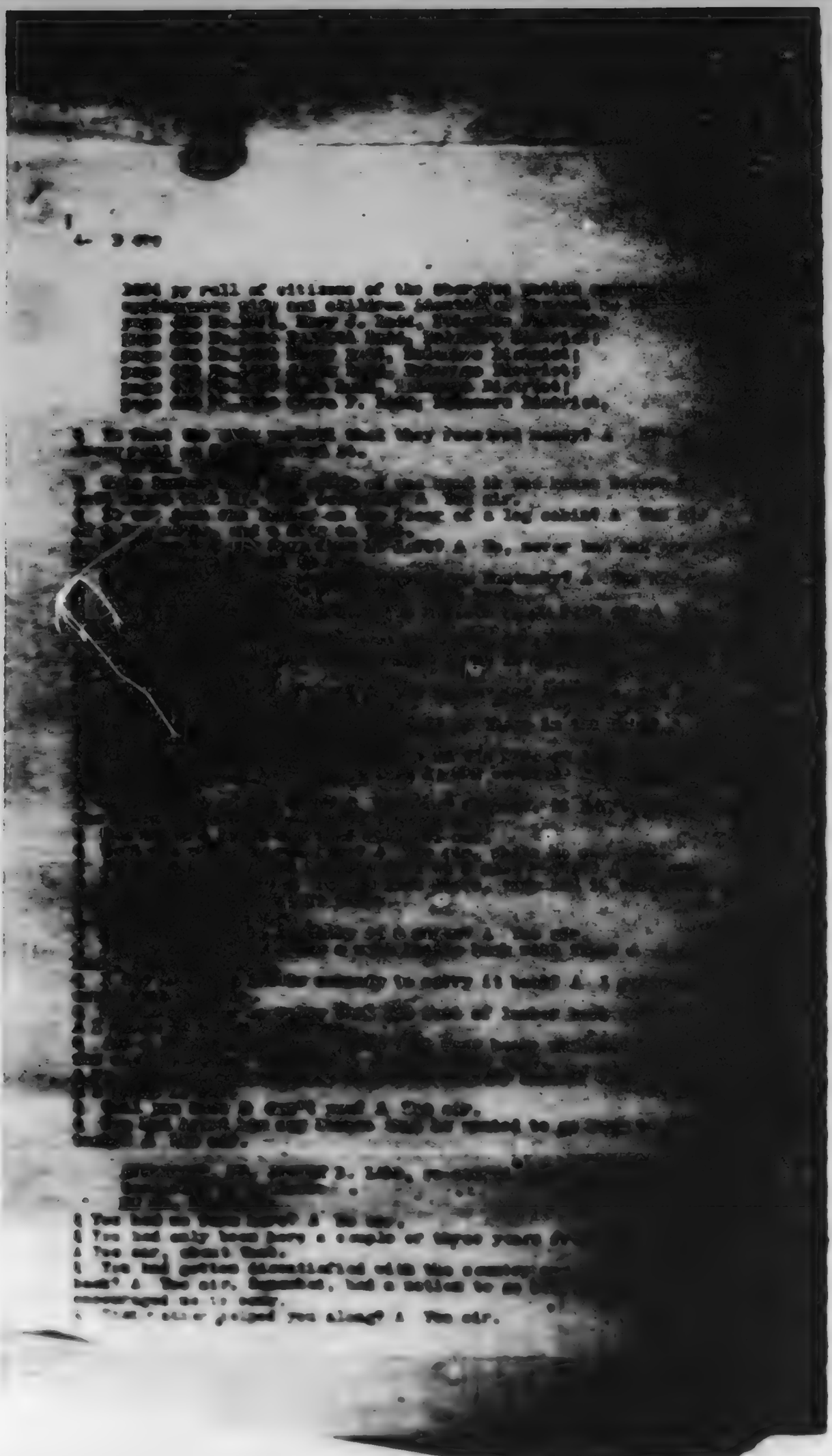
DAVID W. VANN, being first duly sworn and being examined testified as follows:

BY MR. McCULLOUGH:

Q State your name to the court? A David W. Vann.
Q Where do you live? A I live at Fairland, Delaware District.
Q Do you know Joseph B. Ladd, the claimant in this case? A Yes, sir. He is my brother-in-law, married my sister.
Q Do you remember of his being married to your sister? A Yes.
Q When was that, do you remember? A It was about '78 I believe, when he married in this country; he married my sister [illegible] first in '76 and came here and was re-married and made [illegible] home. I think it was about '78.
Q Do you know of his going back to Kentucky after he was home? A Yes, sir.
Q About how long did he live here before he returned? A I think about two years two or three years, I don't know exactly. I am right poor on dates, I can't remember.
Q [illegible] did you [illegible] to him of this time? A Why he lived [illegible] of the time I guess; I was with my [illegible] over a mile and not over two miles, [illegible] he was living in about a [illegible]
[illegible]
[illegible] to them.
[illegible]
[illegible]
[illegible]
Q [illegible] A He is my own father; [illegible] and they didn't have no home, that [illegible] enough to go back, got a wagon [illegible]
[illegible]
Q Do you [illegible] why they left that property here? A He [illegible] and did not [illegible] their stock and small [illegible] they came back, and the [illegible] and [illegible] that they [illegible] I [illegible] my mind.
Q [illegible] A [illegible] at the time; which [illegible] and them talking about.
Q Do you remember when they returned to the [illegible]
A Yes sir. [illegible]
Q When they [illegible] sir, over there. [illegible]
Q Do you know whether or not Mr. [illegible] elections here in the Indian Territory? A [illegible]
Q Do you know whether or not he had drawn any money on [illegible] in the payments made here since 1900?

BY MR. MARTIN: The record shows that much better than oral testimony.

BY MR. McCULLOUGH: Very well, I will withdraw [illegible] didn't know about that being a matter of record.





Page 4 cwb

Department of the Interior
Commission to the Five Civilized Tribes
Muskogee, I. T., October 1st, 1902.

In the matter of the application of [redacted]

Examined by J. C. Starr.

Q What did you go to Kentucky for ?
A I lived there until the spring of 1879.

Case D 490 --2

Q Did you go there to make it your home ?
A Yes sir, so long as I lived there I did.
Q How long did you live there ? A. Three years.

B. C. Bagwell, on oath states that, as stenographer [illegible] to the Five Civilized Tribes, he reported the [illegible] and proceedings had in the above entitled [illegible] and the foregoing is an accurate transcript of his stenographic notes.

B. C. Bagwell

Subscribed and sworn to before me this October 28, 1905.

[illegible]

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Mr. James W. Baker,

Fairland, Indian Territory,

Sir:-

You are hereby notified that the application of Maude and Goldie M. Baker

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-473
Register.

Acting Chairman.

Cherokee D 470.
Cherokee D 473.

Muskogee, Indian Territory, December 2, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry H., James D., Tula M., Clara L. and Mattie P. Ladd, and the application of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood, of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in these cases, copies of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final. Respectfully,

Tibbey.

Enclosure H. No. 1. Acting Chairman.

Cherokee D-473.

COPY.

Muskogee, Indian Territory, December 30, 1908.

James W. Baker,

Fairland, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the record of proceedings had in the matter of your application for the enrollment of your wife, Maud Baker, and your minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated December 1, 1908, granting, among others, your said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest had been furnished to Joseph B. Ladd by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles

Enc. M-809.

Commissioner in Charge.

Register.

COPY.

Cherokee D-470.
Cherokee D-475.

Muskogee, Indian Territory, December 30, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Joseph B. Ladd, et al, embracing the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry E., James B., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation; and the application of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated December 1, 1902, granting said applications.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is inclosed.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Enc. E-412.

COPY.

Cherokee D-670.
Cherokee D-675.

Muskogee, Indian Territory, December 20, 1902.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation; and the application of James W. Baker for the enrollment of his wife, Hand Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, a copy of which decision was furnished you December 2, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Commissioner in Charge.

(Copy)

Refer in reply
to the following:
Land
76,977-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan.16,1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted, herewith, the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Joseph B. Ladd for the enrollment of his wife, Mary J. Ladd, and his minor children, Burnett A., Henry E., James B., Tula May, Clara L., and Mattie Pearl Ladd, as citizens by blood of the Cherokee Nation, and for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Consolidated with this case is also the application of James M. Baker for the enrollment of his wife, Maud Baker, and her minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation.

The record evidence in this case shows that the said Joseph B. Ladd was married under a Cherokee marriage license, in accordance with the laws of the Cherokee Nation, in April 1875, to one Mary J. Vann; that the Cherokee tribal rolls in the possession of the commission show that said Joseph B. Ladd is identified on the Cherokee census rolls of 1880 and 1896; that

his wife, Mary J. Ladd, is identified on the Cherokee pay rolls of 1883, 1886 and 1894, and on the Cherokee census rolls of 1880 and 1896; that his child, Burnett A. Ladd, is identified on the Cherokee pay rolls of 1886 and 1894 and the Cherokee census rolls of 1880 and 1896; that his children Henry R. and James B. Ladd, are identified on the strip payment roll of 1896 and the Cherokee census rolls of 1880 and 1896; that his children, Tidy May and Clarence L. Ladd, are identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896, and that Hattie Pearl Ladd is identified by birth affidavit, made a part of the record herein.

The evidence further shows that the above named Maud Baker, wife of James W. Baker, is the daughter of Joseph R. Ladd and Mary J. Ladd, and that the tribal rolls in the possession of the commission show that said Maud Baker is identified on the Cherokee pay rolls of 1883 and 1886 and on the Cherokee census rolls of 1880 and 1896; that she was married to her husband, James W. Baker, in 1898 and that the child, Goldie M. Baker, is the issue of that marriage, and that Goldie M. Baker is identified by birth affidavit on file and made a part of this record.

The evidence further shows that none of the above adult applicants appear on the authenticated tribal roll of 1880.

The record evidence further shows that said Joseph R. Ladd and his wife, Mary J. Ladd, resided in the Cherokee nation

about two years following their marriage; that in the spring of 1877 they went to Kentucky and returned to the Cherokee Nation in November 1880, where they have resided and been living together as husband and wife up to and including September 1, 1902.

Both Maud Baker and the other children of said Joseph R. Ladd and Mary J. Ladd, herein mentioned, have resided in the Cherokee Nation since the date of their birth.

The Commission in its decision rendered December 1, 1902, cites Article 2 of the treaty concluded between the United States and the Cherokee Nation at Tahlequah, Indian Territory, December 19, 1891, approved by the Principal Chief on January 4, 1892, and ratified by Act of Congress approved March 3, 1893, (27 Stats., L. 612-641), providing as follows:

"For and in consideration of the above cession and relinquishment, the United States agrees:

First. That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or acts of Congress, shall

be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

Commenting upon this provision the commission say that from an examination of lists of intruders and unauthorized persons residing in the Cherokee nation furnished by the Principal Chief pursuant to said treaty, which lists bear date of 1893, and are now in the possession of the commission, it appears that the names of none of said applicants are found thereon; that on the contrary Joseph B. Ladd is identified on the tribal census roll and his wife, Mary J. Ladd, is identified on the tribal roll of said nation since their return from Kentucky; that it is the opinion of the commission that Joseph B. Ladd should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Mary J. Ladd and the others (names given) should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495).

The office cannot see wherein the provisions of said article 2 of the treaty between the United States and the Cherokee Nation, concluded on December 19, 1891, has anything to do with this application.

The fact that the names of the applicants, Joseph B. Ladd

and those of his wife and children, are not found on the lists of intruders and unauthorized persons bearing date of 1895, taken under said provisions of said treaty, is no proof whatever that they are citizens of the Cherokee nation by blood, or otherwise, nor does the office consider the fact that they are not found upon the Cherokee roll of 1880 any bar to their rights as citizens of the Cherokee Nation.

The protest of the Cherokee nation to the decision of the commission herein dwells particularly upon the fact that the names of the applicants are not found upon the authenticated roll of 1880. From this protest one would infer that the only Cherokee citizens who could be enrolled is one whose name is found upon said roll.

Section 21 of the act of June 28, 1898, (30 Stats., 495), is still in force so far as applicants for admission to citizenship in the Cherokee Nation are concerned. That section provides in part, in speaking of Cherokee citizenship, that they (the commission) shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

If this provision of that section means anything it means that the commission is not bound by the Cherokee authenticated roll of 1880. From the language of that section the only thing

the commission has to do with said roll of 1880 is to enroll all persons now living whose names are found on said rolls, for said section says that the roll of 1880 is confirmed by the Act of Congress. After such confirmation it is difficult to see how any other authority can pass upon the rights of persons whose names appear thereon, but it is quite evident that Congress did not intend to limit Cherokee citizenship to those persons whose names appear upon said roll of 1880, for while it confirmed that roll and stamped every person whose name appears thereon as a citizen of the Cherokee Nation, it made further provision for persons whose names are found on any other roll of the Cherokee Nation.

The record evidence in this case shows that these applicants are all on one or more rolls of the Cherokee Nation or are the descendants of those who are so enrolled, born since such rolls were made.

It is therefore the opinion of the office that these applicants are clearly entitled to be enrolled as citizens of the Cherokee Nation under said section 21 of the Act of June 28, 1898, and to that extent the office recommends that the decision of the commission be approved and affirmed, but it does not consider that the reasons assigned by the commission for its decision in said case are sufficient to support said decision.

Very respectfully,

W. A. Jones,
Commissioner.

(W.C.B.)
P.

D. C. 3246-1903.

J.P.

DEPARTMENT OF THE INTERIOR,

FHE

WASHINGTON.

I.T.D. 448-1903.

January 30, 1903.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Joseph B. Ladd, for the enrollment of his wife, Mary J. Ladd, and his minor children, Burnett A., Henry H., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation, and for the enrollment of himself as a citizen of said nation by intermarriage; also the case consolidated therewith of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of said Nation.

On December 1, 1902, you decided in favor of the applicants, and transmitted the papers in the case December 20, 1902.

The Nation protests against your decision.

It appears, as stated by the attorney for the Nation, that Joseph B. Ladd, a white man, married into the

Cherokee Nation in 1875, having previously, about 1874 or 1875, married his wife in Kentucky; that he and his wife remained in the Cherokee Nation about two years following their marriage, when in the spring of 1877 they went to Kentucky; that they returned to the Cherokee Nation in November,1880, too late to be placed upon the 1880 roll, where they have since resided with their children.

Maud Baker is the child of Joseph B. Ladd and his wife, Mary.

Submitting the case January 16, 1903, the Commissioner of Indian Affairs concluded that the parties should be enrolled for reasons given by him.

None of the adult applicants appear upon the 1880 authenticated tribal roll confirmed by the act of June 28, 1898 (30 Stat., 495), though they are on various rolls made since that time, not confirmed by said act.

You referred by quotation to article 2 of the "treaty" between the United States and the Cherokee Nation, ratified by the act of March 3, 1893 (27 Stat., 612-641), but the Department agrees with the Commissioner of Indian Affairs that this article of the agreement has little, if any bearing on this case.

All of said children are on census and pay rolls of the Cherokee Nation made since 1880 except Mattie P. Ladd and Goldie M.Baker, but they are identified by birth affidavits.

The main contention of the Nation is that as the Cherokee constitution provides:

> "That whenever any citizen shall remove with his effects out of the limits of this Nation and become a citizen of another government, all his rights and privileges as a citizen of this Nation shall cease,"

Ladd and his wife de-citizenized themselves by removing to Kentucky and residing there over three years; that as it appears they have not been readmitted to citizenship, neither they nor their children and grand-child are entitled to be enrolled.

The Department concludes that the applicants should be enrolled, but not on the ground as stated by you or the Indian Office.

While Ladd did not remain continually in the Cherokee Nation, to use the language of the Department in its decision of January 24, 1903, in the case of Wilam C. Smith, there is nothing in the testimony presented to show that Ladd ever exercised or claimed any rights as a citizen of Kentucky. The mere fact that he was absent from the Cherokee Nation for a space of a little over three years is not sufficient to justify the conclusion that he had abjured his Cherokee citizenship.

Your decision is affirmed for the reasons herein stated, and you are authorized to enroll the applicants in

the absence of any other objection. A copy of the Commissioner's letter is inclosed.

Respectfully,

(signed) Thos Ryan
Acting Secretary.

1 inclosure.

COPY.

Cherokee 2-470

Muskogee, Indian Territory, February 11, 1903.

C. E. McCulloch,

Attorney for Joseph B. Ladd et al.,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting , among others, the application of Joseph B. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry E., James D., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood, of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 30, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

O.P. Cherokee D-470

Muskogee, Indian Territory, February 11, 1903.

Joseph B. Ladd,

Grove, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting, among others, your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Mary J. Ladd, and your six minor children, Burnett A., Henry E., James B., Julia M., Clara L., and Mattie P. Ladd, as citizens by blood, of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 30, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY

Cherokee D-670-L.

Muskogee, Indian Territory, February 11, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision, dated December 1, 1902, granting the application of Joseph R. Ladd for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary J. Ladd, and his six minor children, Burnett A., Henry R., James R., Tula M., Clara L. and Mattie P. Ladd, as citizens by blood of the Cherokee Nation, and the application of James W. Baker for the enrollment of his wife, Maud Baker, and his minor child, Goldie M. Baker, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 20, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

Cher 10093

Burris O. Ladd

Trans. from Cher. D 1209

Cher 10093

Cherokee by blood;

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., May 21,1901.

In the matter of the application of Burris O. Ladd for the enrollment of himself as a Cherokee by blood; being sworn and examined by Commissioner Breckinridge, he testified as follows;

Q Give me your full name? A Burris O. Ladd.
Q How old are you? A 22 past.
Q What is your post-office? A Grove, Indian Territory.
Q In what district do you live? A Delaware District.
Q Who do you want to enroll besides your self? A No one.
Q Are you a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A Little over 21 years.
Q Have you been here all of your life? A No sir, I was a year old when I come here, little over a year, month or two.
Q Where were you born? A In Kentucky.
Q Give me the name of your father? A Joseph B. Ladd.
Q Is your father dead? A No sir, still living.
Q Give me the name of your mother? A Mary J. Ladd.
Q She is alive is she? A Yes sir.
Q Is your father a Cherokee or a white man? A White man.
Q Is your mother a Cherokee by blood? A Yes sir.
Q Was your mother ever admitted to citizenship by the Cherokee Council or Commission? A I think she was, yes, sir.
Q When, have you any evidence of it? A I don't know exactly when.
Q Are you upon any of the rolls of the Cherokee nation? A 1896.
Q That's the only one is it? A Yes sir, I wasn't here on the 1880 roll.
Q Is your mother upon any roll? A Yes sir, she is upon the 1896.
Q But that is all is it? A That's all I know of, yes sir.

1896 census roll of citizens of the Cherokee nation examined and applicant identified as follows:
page 496 #1898 Burris O. Ladd, Delaware District.

Q What was your mother's maiden name? A Mary J. Vann.
Q Was your mother ever married except to your father? A No sir.
Q Was your father ever married except to your mother? A No sir, I think not.
Q Has your mother ever applied for enrollment? A They have all enrolled except me.
Q With me? A Yes sir.

Com'r Breckinridge: The applicant states that he has lived in the Cherokee nation for 21 years, having been brought to the Cherokee nation from the State of Kentucky when he was a infant; he is identified on the roll of 1896, but he is upon no other roll; and he states that his mother, who he also claims is a Cherokee by blood, is only upon the roll of 1896; his father is a white man; it appears from the testimony in the case of the applicant's father and mother, Cherokee doubtful case 470, that the applicant's mother was taken to the State of Kentucky in 1877 by her husband, to which state they went for the purpose of making their home, and that they returned to the Nation too late to get upon the roll of 1880; it further appears that neither the applicant's father or mother were ever re-admitted to citizenship; the applicant will now be listed for enrollment as Cherokee by blood, on a doubtful card, and reference is made to the case of his parents for further information in regard to his status through his mother; the final decision of the Commission will be made known to the applicant at his post-office address.

Harris O. Ladd 2

M.D.Green, being first duly sworn, states that as stenographer to the Commission in the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this May 28,1901.

C Montgomery

Commissioner.

D12.1

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 21 1901

ACTING CHAIRMAN

Sel.

Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date May 21 1900

22

Name Burris O. Ladd

District Sel.

Year 1896 Page 496 No. 1852

Citizen by blood yes. Mother's citizenship Joseph B. Ladd

Intermarried citizen no Mary J. Ladd

Married under what law

Date of marriage

License

Certificate

Wife's name

District

Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

MAY 21 1901

No. 1 on 1896 Roll as Burris Ladd.

X Dr

To be filed in Cherokee by Blood, D 1209, Burris O. Ladd.

Department of the Interior,
Commission to the Five Civilied Tribes,
Vinita, I. T., September 29, 1900.

In the matter of the application of Joseph B. Ladd for the enrollment of himself, wife and six children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testified as follows:

Q Give me your full name? A Joseph B. Ladd.
Q How old are you, Mr. Ladd? A 50 years old.
Q What is your post-office? A Grove.
Q In what district do you live? A Delaware.
Q Who is it you wat to have put on the roll, yourself?
A Myself and family.
Q That me and your wife and how many children? A Wife and eight children, but there is two of them of age.
Q Six that are under age and unmarried and alive? A Yes sir.
Q Do you apply for yourself as a Cherokee by blood? A No sir.
Q White man? A Yes sir.
Q Your wife is a Cherokee? A Yes sir.
Q Show me your marriage license and certificate? A They are worn out; I kept them until they wore out.
Q You were married before 1880? A I don't know sir, I was in Kentucky in 1880; I was on the rolls before that and on the rolls since.
Q When you married in 1875 how long did you stay here then? A I staid here until the spring of 1877 and moved back to Kentucky and staid there until the fall of 1880 and come back.
Q Then when you come back in 1880 why didn't you get a certificate of admission? A I have been on the rolls since; I never got a certificate because there was no use of it.
Q What did you go to Kentucky for? A Moved there to live there
Q And then you concluded you wouldn't live there? A Yes sir. and come back from Kentucky; I have been here ever since.
Q You came back from Kentucky in the fall of 1880? A Yes sir.
Q You went there how long after your marriage? A Married in the spring of 1875 and I went to Kentucky in the spring of 1877.
Q Give me your wife's name? A Mary Josephine Ladd.
Q How old is she? A About 46 years old.
Q She is not on the roll of 1880 either? A No sir.
Q But she is on the roll of 1896 you think? A Yes sir.
Q You and she have lived together ever since your marriage in 1875? A Yes sir.
Q Now give me the name sof these children? A Burnett A. Ladd.
Q How old is he? A I think he is 16 years old.
Q Next child? A Henry E. Ladd.
Q How old is he? A He is 13 years old.
Q Next child? A James D. Ladd.
Q How old is he? A They are twins, same age.
Q What is the next child? A Tula May.
Q How old is that child? A 10 years old.
Q Next child? A Clara L.
Q How old is she? A 7 years old I think.
Q Next child? A Mattie Pearl.
Q How old is she? A She is three years old past.
Q That's all isn't it? A Yes sir.
Q Those children all living now? A Yes sir.

1896 roll page 496 #1825 Joseph B. Ladd, Delaware District;
1896 roll page 496 #1826 Mary J. Ladd, Delaware District, native Cher
1896 roll page 496 #1827 Burnett A. Ladd, Delaware District "
1896 roll page 496 #1828 Henry E. Ladd "
1896 roll page 496 #1829 James D. Ladd, "
1896 roll page 496 #1830 Tula M. Ladd, Delaware District;
1896 roll page 496 #1831 Clara L. Ladd, "

Joseph B. Ladd et al 2

Q These six children were all born after you and your wife returned to the Cherokee Nation, sir.

Com'r Breckinridge: The applicant applies for the enrollment of himself, wife and six children; he states that his wife is a native by the Cherokee Nation and that they were married in 1875, and that their marriage license and certificate have been destroyed; in 1877 he went with his wife to Kentucky, and staid there until the fall of 1880, having gone for the purpose of making the State of Kentucky his home; he came back too late to get upon the roll of 1880, and neither he nor his wife are upon that roll. Both of them are identified on the roll of 1896; the applicant will now be placed upon a doubtful card as an intermarried Cherokee, and he will be required to furnish an official copy of his marriage license and certificate, and attention is also called to Section 2, Article 1, of the Constitution of the Cherokee Nation, in connection with the fact stated by the applicant that neither he nor his wife have ever been re-admitted by the Cherokee National Commission or Council. His wife as a native Cherokee will be placed upon a doubtful card with her husband.

Of the six children enumerated in the testimony the first five are identified with their parents on the roll of 1896; they are all living at this time and they will be listed as native Cherokees upon a doubtful card. And when proper certificate is presented as to the youngest child, Mattie Pearl, she will also be listed as a native Cherokee upon a doubtful card.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(signed)M.D.Green.

Subscribed and sworn to before me this 29 day of September 1900.

(signed) C.R.Breckinridge,
Commissioner.

M. D. GREEN, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy and that same is a true and complete copy of the original transcript.

M D Green

Subscribed and sworn to before me this August 9th, 1901

D K Thomas

Commissioner.

D 12104

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 12 1901



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskogee, I. T., September [illegible]

IN RE MATTER OF THE APPLICATION OF James V. Baker for [illegible] enrollment of his wife and child as citizens of the Choctaw Nation. Applicant and witness sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q. State your full name? A. James M. Baker.
Q. What is your age? A. Twenty three.
Q. What is your postoffice? A. Talihina.
Q. Are you married? A. Yes sir.
Q. What is the name of your wife? A. Delaney.
Q. Was she living on March 4, 1907? A. Yes sir.
Q. Is she living now? A. Yes sir.
Q. Is she a citizen by blood? A. Yes sir.
Q. What is your wife's age? A. Nineteen.
Q. What is her postoffice? A. Wild Baker.
Q. What was her maiden name? A. Ruth Delaney.
Q. Where was your wife married? A. Near Talihina.
Q. Have you a certificate of marriage? A. No sir.
Q. What is the name of your father-in-law? A. J. J. Delaney.
Q. Is he living? A. Living.
Q. Where does he live? A. Near Talihina.
Q. Is he a citizen by blood? A. Yes sir.
Q. What is the name of your mother-in-law? A. Elizabeth Delaney.
Q. Is she living? A. Living.
Q. Where does she live? A. Near Talihina.
Q. Are you the head of the family? A. Yes sir.
Q. How old is your child? A. Four months old.
Q. What is the name of your child? A. Ruth Baker.
Q. Was your child born before March 4, 1907? A. Yes sir.
Q. Is your wife living with you on the bill of 1896? A. Yes sir.
Q. Was she living with you on the bill of 1896? A. Yes sir.
Q. Was your child born before March 4, 1907? A. Yes sir.
Q. Was your child born before May 28, 1908? A. Yes sir.
Q. Was your wife born before May 28, 1908? A. Yes sir.
Q. Was your wife living with you on the bill of 1896? A. Yes sir.
Q. Was your wife living with you on the bill of 1897? A. Yes sir.
Q. Was your wife living with you on the bill of 1898? A. Yes sir.
Q. Was your wife living with you on the bill of 1899? A. Yes sir.
Q. Was your wife living with you on the bill of 1900? A. Yes sir.
Q. Was your wife living with you on the bill of 1901? A. Yes sir.
Q. Was your wife born before they came back in the fall of 1906

okee by blood upon a doubtful case [illegible] special consideration of several points that will occur in connection with same; and when the Commission is supplied with a proper certificate of the birth of her child, Goldie M. Bailey, [illegible] will be listed as a Cherokee by blood, with [illegible] on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings in the above cause, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

[signature]

Subscribed and sworn to before
me this 2nd day of October, 1906.

[signature]

[illegible]

D 473

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 27, 1902.

In the matter of the application of Maude Baker, for the enrollment of herself and child as citizens of the Cherokee Nation.

The applicant was notified by registered letter on February 1902, that her application for the enrollment of herself and as citizens of the Cherokee Nation, would be taken up for final sideration by the Commission on the 27th day of February, 1902, and that she could on said date appear before the Commission, in person or by attorney, when an opportunity would be given her to introduce any further testimony affecting her application.

Receipt has been acknowledged of the Commission's letter.

The applicant having this day, to-wit: the 27th day of February, 1902, been called three times, and failing to respond in person or by attorney, it is ordered that the case be closed and that the same be reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

"p"

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27,1908.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Joseph B. Ladd for the enrollment of himself and children as Cherokee citizens.

Appearances:
George E. McCullough, Vinita, I. T., attorney for the applicants;
W.J.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 11,1908, that his case would be taken up by the Commission on the 27th day of February,1908,- receipt has been acknowledged of the Commission's letter and the applicant on this day the 27th day of February 1908 appears by his attorney, George E. McCullough, of Vinita, I. T.

BY COMMISSION OF ATTORNEY McCULLOUGH: Any statement you desire to make relative to this case? A I have some testimony to introduce.

JOSEPH B. LADD, being first duly sworn and being examined testified as follows:
BY MR. McCULLOUGH:
Q Are you Joseph B. Ladd, the applicant in this case? A Yes sir.
Q You stated in your testimony before the Commission on [illegible] that you had gone to Kentucky to live; I wish you would state to the court how that was you went there? A Well, I lived in this country and my mother was old and she wrote for me to come back; she was in Kentucky; she wrote for me to come back and take care of her as long as she lived; and in the spring of '93, or early in the winter, February 20th, I went back; and of course I aimed to make it my home as long as I lived there; whatever I was to do I went to his home as long as he lived there; but as quick as I got there I aimed to come back as quick as I could get back.
Q What were your intentions when you left the Indian Territory in regard to coming back? A I thought it was possible I would have to; my mother was the main cause of my going. I left property here, I thought probably I would return sometime.
Q What property did you leave here? A I left some lumber, [illegible] and a dwelling house, and my wife left a small [illegible].
Q What was your object in leaving this property? A Principally to hold our right; my father-in-law told his daughter she had [illegible] leave some property here to hold her right, and we left that [illegible] in case we should ever come back.
Q How long did you stay there? A Better than three years, I went in February, '93, and back fall of '96.
Q Why didn't you come back here sooner? A I was not able; I should have come back a good deal earlier but I was not able; I was poor at that time and was not in shape to [illegible].
Q Do you remember in the fall of [illegible] when you returned in the fall of [illegible] I remember, 17th or 18th of December [illegible].
Q What has been your standing as a Cherokee [illegible] both here & the [illegible] recognized to be a Cherokee?
Q How have they recognized you? A [illegible] among them they paid out money they [illegible].
Q Have you always voted in every election [illegible] here? A Yes sir, generally always voted in every [illegible].
Q Has your right to vote ever been questioned? A No [illegible].
Q Have you participated in all of the payments [illegible]?
A Yes sir. I have drawn money in every payment [illegible] out, we and my family.

Q Then at the time you moved you say you made preparations [illegible] back to the Territory? A Yes sir; when I got there I was not satisfied and would have come back the next fall if I had [illegible] and I had to stay until I could get full headed enough to [illegible] Things had changed there from what I supposed they was, and I was dissatisfied, and my mother was one cause; she died a year or two after I went back there and I didn't care anything about staying there then.
Q You and your wife have always lived together here? A Yes sir, been here over 20 years, ever since the fall of 1880, except [illegible] on out of the Territory.
Q You now reside in the Cherokee Nation do you? A Yes sir.
Q With your wife and minor children? A Yes sir.

BY MR. HASTINGS:

Q Your mother was alive when you went back to Kentucky? A Yes sir.
Q You didn't know how long she was going to live? A No sir.
Q Of course you intended to live with her there as long as she lived? A Well I didn't know; I stayed there as long as she lived.
Q Well that was your intention? A No, not altogether.
Q Well, but when you left here? A Yes, when I left here I thought probably I would stay as long as she lived; I didn't know that I would but that was one cause of my leaving.
Q What was any other cause? A She wanted me to come back [illegible] take care of her.
Q Well was there any other cause? A I was a little dissatisfied with the country myself here.
Q And you intended to go back to Kentucky to live if that time when you left here? A Yes sir, awhile; of course I [illegible] it my home as long as I lived there.
Q That was indefinite; you didn't know how long you intended to live there when you left here? A No sir.
Q You might have intended to live there all of your life, you didn't know, when you left here? A No.
Q How much lumber did you leave here? A I left the flooring to a house.
Q About how much was it worth? A Well now you can count it, the house was about 16 x 16 I think.
Q It was rough flooring for that house, and the lumber was [illegible] $1.25 a hundred I think.
Q 16 by 16 would be 256 feet, at a dollar and a quarter you [illegible] would be $2.50 worth of lumber; what else did you leave? A [illegible] kettle.
Q And what else? A I had a door shutter to the house; I [illegible] made myself.
Q What was that worth? A Dollar and a quarter.
Q What was your kettle worth? A It cost me a dollar and a [illegible]
Q That would be $5.75 worth of stuff you left here all [illegible] of course you left that to retain your citizenship? A [illegible]
Q You had that specially in mind when you left? A [illegible]
Q You didn't know that you [illegible] country? A Oh no I didn't know [illegible] I got to Kentucky I said I would come back.

BY MR. McCULLOUGH:

Q You said that you didn't know whether [illegible] not; what did you mean? A I didn't know [illegible] there.
Q Didn't know whether you would live to come back [illegible] didn't know whether I would live to come back or [illegible] cluded as soon as I got to Kentucky that I could [illegible]

BY MR. HASTINGS:

Q That was after you got to Kentucky? A Yes sir.
Q But when you left here you didn't know? A No sir.

DAVID W. VANN, being first duly sworn and being examined testified as follows:

BY MR. McCULLOUGH:

Q State your name to the court? A David W. Vann.
Q Where do you live? A I live at Fairland, Delaware District.
Q Do you know Joseph B. Ladd, the claimant in this case? A Yes sir. He is my brother-in-law, married my sister.
Q Do you remember of his being married to your sister? A Yes sir.
Q When was that, do you remember? A It was about '75 I believe; that is when he married in this country; he married my sister in Kentucky first in '74 and come here and was re-married and under Cherokee laws, I think it was about '75.
Q Do you know of his going back to Kentucky after he was here?
A Yes sir.
Q About how long did he live here before he returned? A I think about two years two or three years, I don't know exactly. I am right poor on dates, I can't remember.
Q How near did you reside to him at this time? A Why he lived in the house with us half of the time I guess; I was with my father; then he lived not over a mile and not over two miles, any time that he was here; when he left he was living in about a mile or a mile and a half of where we lived.
Q At the time he returned to Kentucky did you remember of hearing him express any intention of staying? A -

BY MR. HASTINGS: I am going to object to that.

A I never heard him say anything about it.
Q Well make any statement of what you have heard her say? A She always in talking about it she said she aimed to come back, and she aimed to come back sometime or another, and she didn't want to go, but then he kinder controlled her and carried her off.
Q You know whether or not at that time they left any property here? A Well I know of them leaving a kettle I believe it was, and some lumber he had; he was in a house, in Sallie Ballard's house I believe it was, and she furnished the lumber, and he had some flooring there and when he left my father took it out; he left the lumber there with him and a door I think, just an old house wasn't fit for anything, and the lumber she let him take it out, didn't claim it at all.

BY MR. HASTINGS:

Q Old lumber that had been used? A No it was new lumber; it was a little old log house, and they didn't have no house, that was all they could do to raise enough to go back, get a wagon and little shack of a pony team.

BY ATTORNEY McCULLOUGH:

Q Do you remember why they left that property here? A We talked over that, my father did and he said the Cherokee law was if they taken everything out that abandoned their claim and would have to prove up when they come back, and the understanding was if they left any property they would hold their rights when they wanted to come back; I remember we talked over that.
Q Is that the reason they left this property here at that time?
A That is what we talked about at the time; that is what I heard my father and them talking about.
Q Do you remember when they returned to the Indian Territory?
A Yes sir. Come right to our house it was in the fall of 1880.
Q Have they resided here ever since as husband and wife? A Yes sir, ever since. Been there in Delaware district ever since.
Q Do you know whether or not Mr. Ladd has participated in the elections here in the Indian Territory? A Yes sir, he always voted.
Q Do you know whether or not he had drawn any money as a Cherokee citizen in the payments made here since 1880?

BY MR. HASTINGS: The record shows that much better than the oral testimony.

BY MR. McCULLOUGH: Very well, I will withdraw that question. I don't know about that being a matter of record.

1894 pay roll of citizens of the Cherokee Nation examined and applicant's wife and children identified thereon as follows:
page 420 No.1661, Mary J. Ladd, Delaware District;
page 420 No.1664 Burnett Ladd, Delaware District;
page 420 No.1665 Henry Ladd, Delaware District;
page 420 No.1666 James Ladd, Delaware District;
page 420 No.1667 Tula Ladd, Delaware District;
page 420 No.1668 Clara F. Ladd, Delaware District.

Q Is that the only payment that they received money? A He was on every roll as I understood it.

BY MR. HASTINGS:

Q This lumber that you speak of was used in the house before he left there that Mr. Ladd occupied? A Yes sir.
Q It was just the lumber on the floor of a log cabin? A Yes sir of a log cabin, and a door to that.
Q He never had any farm when he left? A No, never had had one, never been able to put in one.
Q Only been here two or three years from Kentucky? A Yes sir.
Q And he went back to Kentucky? A Went back.
Q Before he didn't hardly have the effects to go back on? A No didn't have very much.
Q Left a wash kettle there with your mother? A With my mother.
Q What relation are you to this man? A He is my brother-in-law, married my sister.
Q What became of the lumber? A Why father had it there, put it up in the loft, in the barn there.
Q What ever became of it, just used it up there in the barn? A Yes. Just laid it up there in the barn.
Q What became of it? A It was there in the barn as long as it lasted
Q Your father used it to lay a loft in the barn? A Yes sir, it stayed there.
Q What became of the door? A The door shutter, it was there about the house there where we built a house at.
Q You built a house and used it?A Yes sir.
Q That was while he was gone? A Yes sir, while he was gone.
Q And that reduced his effects down to a wash kettle? A Yes sir.
Q What became of it? A It was left there, they had it there all the time; my mother had it there.
Q Used it? A Yes sir.
Q They went back to Kentucky in a wagon? A Yes sir.
Q Little unhandy to carry a wash kettle back with them? A I don't know, I guess it was.
Q I say it was a little unhandy to carry it back? A I guess it would have been to.
Q Little unhandy to carry that 225 feet of lumber back there? A I guess it would have been.
Q And a little unhandy to carry that door back; whatever became of the washing kettle finally? A I don't know that.
Q Mr. Ladd was dissatisfied with this country himself wasn't he? A I guess he was.
Q Well you know it don't you? A Yes sir.
Q You had heard him say before that he wanted to go back to Kentucky? A Yes sir.

APPLICANT, MR. JOSEPH B. LADD, re-called and further examined, testified as follows:

BY MR. HASTINGS:

Q You had no farm here? A No sir.
Q You had only been here a couple or three years from Kentucky? A Yes sir, about that.
Q You had gotten dissatisfied with the country and wanted to go back? A Yes sir. Somewhat, had a notion to go back, and my [illegible] encouraged me to come.
Q They sort of helped you along? A Yes sir.

Q What ever became of that lumber that was in your house? A [illegible] Vann, it was left there, I left it with him and he used it [illegible] I went back, and when I came back he offered it to me, but I told him to keep it, I was sick.
Q What became of your door? A They used it in a side room at their house.
Q Whatbecame of your wash kettle? A It was in the family after I come back.
Q Did you ever get it after you came back? A Yes, my mother-in-law give it to my wife after we come.
Q You used it after you come back? A Yes sir.
Q I believe youmay youhad no farm after you come back? A No sir.

BY MR. McCULLOUGH:

Q Have you participated in the payments made in the Cherokee [illegible] to the Cherokees since your return in 1880? A Yes sir, drew them every one that has been made since 1880.

BY COMMISSION: The attorney for the applicants and [illegible] tative of the Cherokee nation present submit this [illegible] same is entered closed and reported to the Commission [illegible] decision, based upon the evidence of record. The attorney for the applicant requests and will be granted ten days in which to file brief in this case, one copy with the Commission and one copy with the representatives of the Cherokee Nation.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony andproceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 28,1908.

[signature]

Commissioner.

Supl.-C.D.#1209

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL in the matter of the enrollment of BURRIS O. LADD as a citizen of the Cherokee Nation:

The applicant was notified by registered letter March 1, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 21st day of March, 1902, and that he could on said date appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any additional testimony affecting his application: The applicant has this day, to-wit: the 21st day of March, 1902, been called, and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission to final considertion based upon the evidence now of record.

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I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings above, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

Cherokee D 1200

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Burris O. Ladd as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on May 21,1901, Burris O. Ladd appeared before the Commission at Vinita, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory on March 21,1902. The testimony of Joseph B. Ladd, taken September 29,1900 has been made part of the record in this case.

The evidence shows that the said Burris O. Ladd is a Cherokee by blood, and the records of the Cherokee Nation in possession of this Commission show that he is identified on the 1883, 1886 and 1894 pay rolls of the Cherokee Nation, and on the 1896 census roll of the said Nation, as a Cherokee by blood.

The evidence further shows that the said Burris O. Ladd at the date of the application, had resided in the Cherokee Nation continuously for twenty-one years, and that he was a resident of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that the said Burris O. Ladd should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 11 01

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee I. T. October 7th 1902.

In the matter of the application of Burris D. Ladd for enrollment as a citizen of the Cherokee Nation. Cherokee D. 1209.

Protest of the Cherokee Nation.

The testimony in this case shows that the applicant was twenty two years old on May 21, 1901 or that he was born in 1879 and was born in the State of Kentucky; that his fathers name was Joseph D. Ladd and that they had lived in the Cherokee nation prior to eighteen hundred and eighty, a short time and in 1877 moved to Kentucky and in answer to this question put to his father who testified in this case September 25th 1901 at Vinita "Q What did you go to Kentucky for?" "A Moved there to live there." His father claims that he returned to the Cherokee nation in the fall of eighteen hundred and eighty or after an absence of a little more than three years.

If there is any virtue in the in the constitution of the Cherokee Nation this applicant is not entitled to be enrolled as a citizen of the Cherokee Nation. Section two, Article one of the Cherokee Constitution provides:

"Whenever any citizen shall remove with his effects out of the limits of this nation and becomes a citizen of any other government all of his rights and privileges as a citizen of this nation shall cease."

Now in this case there is not the slightest evidence that this applicant is a Cherokee by blood except that his name appears upon some pay rolls made by the Cherokee nation subsequent to eighteen hundred and eighty but there is no testimony tending to show that his father and mother were recognized as Cherokee citizens prior to eighteen hundred and eighty and no proof is introduced tending to show that they were possible-

ted to citizenship upon their return from Kentucky in the fall of 1880, if the family were recognized as citizens before 1877. Under the Cherokee Constitution they clearly forfeited their rights when they moved to Kentucky as his father states it he "Moved there to live there" that is to make it his home.

It is true he changed his mind and returned to the Cherokee nation but his intention was when he left the Cherokee Nation to leave it permanently and his intention was to become a permanent citizen of the State of Kentucky, and he remained there more than three years, and under the sixth section of the act of February 8, 1887 (24 Stats., 388-390) these people became citizens of the state of Kentucky and at that moment forfeited their right to be enrolled as citizens of the Cherokee Nation and upon their return it was necessary for them to have been readmitted to citizenship in said nation.

For these reasons we submit that the applicant is not entitled to be enrolled as a citizen of the Cherokee nation.

Respectfully Submitted,

W W Hastings

Attorney for the Cherokee Nation.

Attest:

J O Starr

Stenographer for Cherokee Nation.

Cher D 470

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 13, 1902.

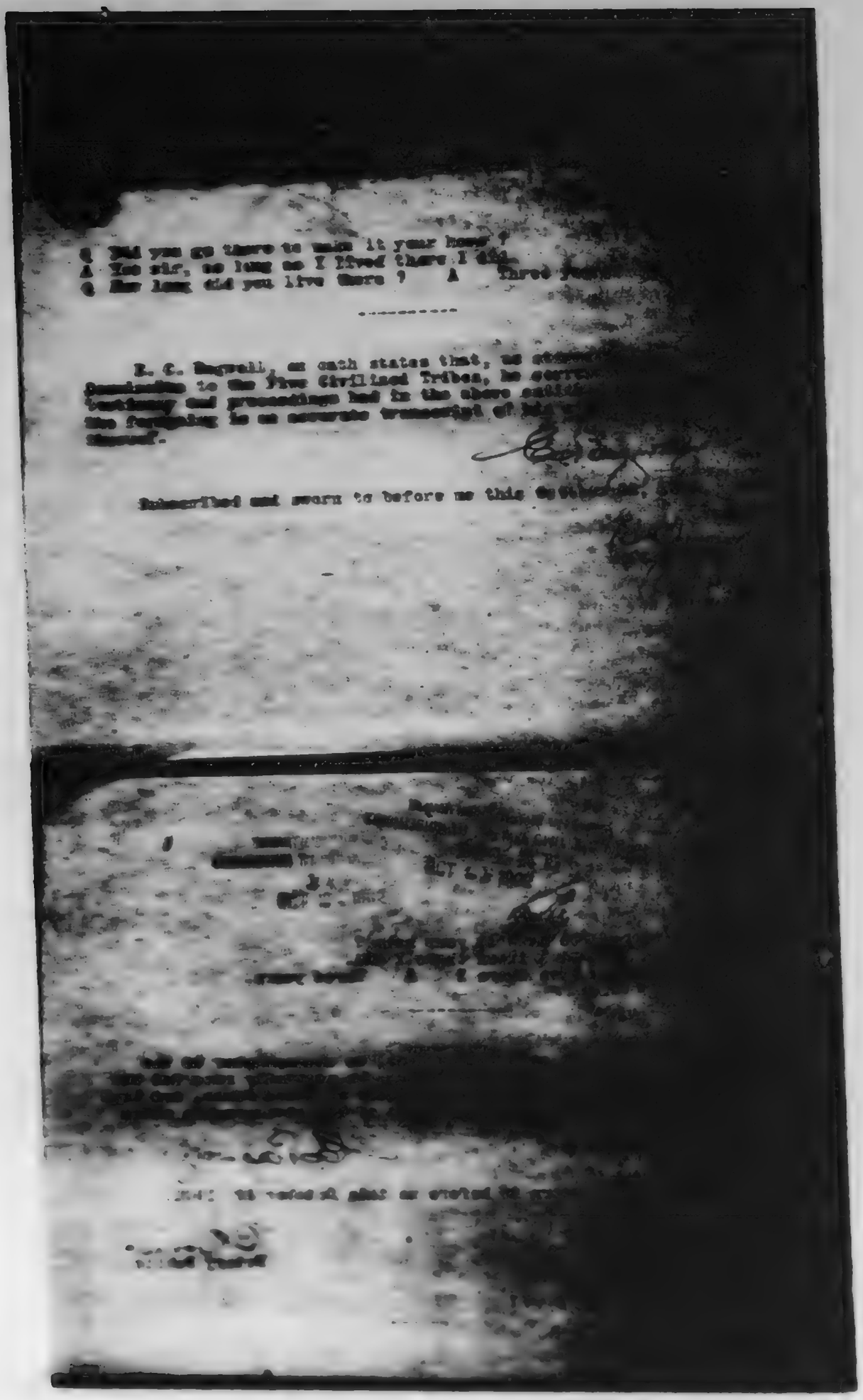
In the matter of the application of JOSEPH B. LADD, for the enrollment of himself as a citizen by intermarriage, his wife, MARY J. LADD, and his children, BURNETT, HENRY E., JAMES D., TULA M., CLARA L. and MATTIE P. LADD, as citizens by blood, of the Cherokee Nation:

JOSEPH B. LADD, called as a witness, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Joseph B. Ladd.
Q What is your age ? A Fifty two.
Q What is your post office ? A Rose.
Q Are you the same Joseph B. Ladd who made application to this Commission for enrollment as an intermarried citizen of the Cherokee Nation in September, 1900 ? A Yes sir.
Q What is your wife's name ? A Mary J.
Q Is she a citizen by blood of the Cherokee Nation ? A Yes sir.
Q When were you married to her ? A In 1875 the second time.
Q Where were you married the first time ? A In Kentucky.
Q How long after your first marriage before you and she came to the Indian Territory ? A We came that year.
Q Well, were you and she married again after you came to the Territory ? A Yes sir.
Q Did you take out a Cherokee license ? A Yes sir.
Q When were you married under that Cherokee license ?
A In 1875.
Q Were you ever married prior to your marriage to your wife Mary J ?
A No sir.
Q Was she ever married prior to her marriage to you ?
A No sir.
Q Have you and she lived in the Cherokee Nation ever since 1875 up to the present time ? A No sir, with the exception of about three years and better I was in Kentucky. I came back from there about 1880. The fall of 1880.
Q Then you came back here in the fall of 1880 the last time ?
A Yes sir.
Q Did your wife go toKentucky with you ? A Yes sir.
Q Were you in Kentucky when the 1880 roll was made ?
A Yes sir, we came home that fall.
Q Have you lived in the Cherokee Nation all the time since 1880 to the present time ? A Yes sir.
Q Has your wife lived here with you all the time ? A Yes sir.
Q Have you and your wife Mary J., lived together in the Cherokee Nation as husband and wife from the date of your marriage up to the present time ? A Yes sir.
Q Were you living together as husband and wife on the first day of September, 1902 ? A Yes sir.
Q These children, Burnett, Henry E., James D., Tula M., Clara L. and Mattie P., all your children by your wife Mary J ?
A Yes sir.
Q Are they all living at this time ? A Yes sir.
Q Have they lived in the Cherokee Nation all their lives ?
A Yes sir.

Ex[illegible] Start

[illegible] Kentucky for ?
[illegible] the spring of 1871.



COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1298

Muskogee, Indian Territory, March 1, 1902. 1902.

Mr. Burris O. Ladd,

Crowe, Indian Territory.

Sir:-

You are hereby notified that the application of yourself

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 21, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, as you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman.

Enclosure.

1909

COPY

Cherokee B 1208.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Harris O. Ladd for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 18.

Cherokee D 1209.

Muskogee, Indian Territory, October 24, 1902.

Burris O. Ladd,

Grove, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated September 20, 1902, granting your said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which said protest has been furnished you by the attorneys for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Commissioner.

Register.

Enclosure H. No. 6.

Cherokee D - 1209.

COPY.

Muskogee, Indian Territory, October 24, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Burris O. Ladd for the enrollment of himself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated September 20, 1902, granting said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

Commissioner in Charge.

Through the

Commissioner of Indian Affairs.

Enclosure H. No. 7.

COPY.

Cherokee D 1209.

Muskogee, Indian Territory, October 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of date September 20, 1902, granting the application of Burris O. Ladd for the enrollment of himself as a citizen by blood of the Cherokee Nation, a copy of which said decision was furnished you on September 24, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY

Refer in reply
to the following:
Land
65282-1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Nov.13,1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made October 24, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Burris O. Ladd, for enrollment as a citizen of the Cherokee Nation.

The evidence shows that his father, a white man, married his mother, a Cherokee citizen, in 1878; that prior to 1880 he removed to the State of Kentucky and lived there three years, returning to the Cherokee Nation when the applicant was a little more than a year old; and that the family has continuously resided in the Cherokee Nation ever since that date. The name of the applicant appears on the 1883, 1886 and 1896 pay-rolls and upon the 1896 census roll of the Cherokee Nation.

The nation protests against the enrollment of the applicant, claiming that his rights of citizenship were forfeited when he removed to Kentucky with the intention of permanently residing in that State.

The office is of the opinion that the Cherokee Nation, having elected to place the name of this applicant on the rolls, and it not being shown that his name was placed there by fraud or without authority of law, the Commission is authorized to enroll him as a citizen of the Cherokee Nation.

It is respectfully recommended that the decision of the Commission be affirmed.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

WAJ

3 inclosures.

R.C. 2265-1903.

J.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

I.T.D. 7265-1903
7264- "
468-1903

January 30, 1903.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Harris G. Ladd, applicant for enrollment as a citizen by blood of the Cherokee nation, received with your letter of October 24, 1902.

It appears that the applicant is a son of Joseph R. Ladd and Mary J. Ladd, applicants for enrollment and in whose favor the Department this day rendered a decision; that the present applicant was born in Kentucky and returned with his parents to the Nation in 1880, when less than one year of age, and has remained there since. He is identified on the 1883, 1885 and 1894 pay rolls, and the 1896 census roll of said Nation as a Cherokee by blood, but is not on the 1880 roll confirmed by the act of June 28, 1898, (30 Stats., 495).

September 20, 1902, you rendered your decision in the case, holding that the applicant is entitled to en-

rollment in accordance with the provisions of said act.

The Nation protests, its contention being based upon the same grounds as in the case of the applicant's father.

Reporting in the matter November 13, 1902, the Commissioner of Indian Affairs recommended that your decision be concurred in. A copy of his letter is inclosed.

Following the decision in the case of Joseph B. Ladd, et al., your decision is hereby affirmed.

Respectfully,

(signed) Thos Ryan,
Acting Secretary.

1 inclosure.

Cherokee D-1209

COPY.

Muskogee, Indian Territory, February 11, 1903.

Burris G. Ladd,

Grove, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated September 30, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 30, 1903.

Respectfully,

Tams Bixby

Acting Chairman.

Copy.

Cherokee D-1206

Muskogee, Indian Territory, February 11, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated September 30, 1902, granting the application of Burris B. Ladd for the enrollment of himself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 30, 1903.

Respectfully,

Tams Bixby

Acting Chairman.

Cher 10094

David J. Matthews

Trans. from D697

Cher 10094

RECORD.

Department of the Interior.
Commission to the Five Civilized Tribes,
Claremore, I.T., October 22, 1900.

In the matter of the application of David J. Matthews for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testified as follows:

Q Give me your full name? A David J. Matthews.
Q How old are you? A 39.
Q What is your post-office? A Claremore.
Q You live in Coowescoowee District? A Yes sir.
Q Who do you want to have enrolled? A Myself, wife and four children.
Q Are you a Cherokee by blood? A No sir.
Q Is your wife a Cherokee? A Yes sir.
Q Let me see your marriage license and certificate?
A (Produces papers)
Com'r: The application presented was issued by the Clerk of Coowescoowee District December 7th 1896, authorizing the marriage to Miss Id. Taylor; the certificate shows that they were married in accordance with said license on the 17th of the same month and in the same year, by the Rev. P.C. Grace; this is filed herewith
Q Have you lived in the Cherokee Nation with your wife ever since you were married to her in 1896? A Yes sir.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No sir.
Q Now give me your wife's full name as you want it put down at this time? A Adelie Matthews.
Q No middle name? A No sir.
Q A-d-d-i-e? A Yes sir.
Q How old is she? A 26.
Q Give me the name of her father? A James Taylor.
Q Is he dead? A No sir, he is living.
Q Give me the name of her mother? Adelina Taylor, she has been dead for a number of years.
Q Has your wife lived in the Cherokee Nation all her life?
A No sir.
Q How long has she lived here? A She came here in 1896.
Q Name a certificate of admission, or have you one?
A No sir, she was admitted with her father.(Produces papers)
Q Did she apply to the Dawes Commission for admission? A Yes sir, in 1896. She was put on the doubtful roll and according to their notices she made application to them.
Q Give me the names of your children? A Mary L., 9 year-old;
Q Next child? A William L.
Q How old is he? A 7.
Q Next child? A Joseph T.
Q How old is he? A 5
Q Next child? A Jessie M.
Q How old is she? A 2
Q All living now? A Yes sir.
Q How long Have you and your family lived here in the Cherokee Nation?
A Since 1890.
Q Lived here continuously since 1890? A Yes sir.
Q You haven't been out of the Nation since 1890 through war or [illegible]
A Your wife, claims
Q Yes sir, her mother is a white woman.
1896 roll examined for applicant's wife and name not found;
1896 roll page 240 Mary L. Matthews
1896 roll page 240 #9123 Ada Matthews
1896 roll page 240 #9125 William L. Matthews
1896 roll examined for children and names not found.
Com'r The Dawes Commission Record, Book [illegible]

page 304 Commission #4759 shows that James Taylor with others, made application to the Commission September 7th 1896; the answer filed; the application was denied by the Commission; there is no record that any appeal was ever taken.

Com'r Breckinridge: The applicant applies for the enrollment of himself, his wife and four children; he is shown to have married his wife in accordance with Cherokee law in 1890, and states that they have lived together in the Cherokee Nation ever since their marriage; his wife is identified on the Cherokee pay roll of 1894; he states that her claim to citizenship arises through her father, James Taylor; her father is shown to have applied to the Dawes Commission in 1896, as set forth in the testimony, for ~~recognition~~ admission as a Cherokee citizen, and the application was denied; it appears that there was no appeal taken; now the present application arises entirely through any real or supposed right acquired by the father of the applicant's wife; and as there father is shown to haveboen rejected by the DawesCommission, that rejection is final, and is obligatory upon this Commission to discharge itspresent duty; therefore the application for the enrollment of the applicant and his family is rejected.

I.D.Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings inthis case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

I.D. Green

Subscribed and sworn to before me this 22nd day of October 1900.

Commissioner.

a

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 25 1900

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 25 1900

SUPPLEMENTAL: R-310

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 25, 1900.

In the matter of the enrollment of Addie Matthews, husband and children; being sworn and examined by Commissioner Breck Bridge she testified as follows, in supplemental:

Q Give me your full name? A Addie Matthews.
Q Have you any middle name? A No sir
Q How old are you A 28
Q What is your post-office? A Claremore.
Q Do you live in Coo nascowee District A Yes sir.
Q Who is it you want to have put on the roll A Myself, husband and four children.
Q Are you a Cherokee by blood? A Yes sir.
Q What is your husband? A White man.
Q How long have you lived in the Cherokee Nation? A Nearly all yours.
Q You were enrolled in an application made a few days ago by your husband as David J. Matthews were you not? A Yes sir.
Q You are a daughter of James Taylor? A Yes sir.
Q And your father James Taylor and his family were admitted to citizenship by the Cherokee Commission, or were they North Carolina Cherokees? A They were North Carolina Cherokees.
Q How old is your father now? A He is about 77 I believe.
Com'r: It is found in the printed list of North Carolina Cherokees who came to the Cherokee Nation June 4th 1880 under an act of the National Council approved December 3 1880, that James Taylor, aged at that time 58 years, is included as a Cherokee by blood, and that he is those who paid their own transportation.
Q Your mother's name is Adelina Taylor? A Yes sir, Adelina
Q When were your father and mother married? A I don't remember
Q Is your mother living now? A No sir she has been dead several years.
Q About how many years? A 13 or 14 years.
Q Was she ever married except to your father? A No sir.
Q Was he ever married except to her? A No sir.
Q Where did your mother die? A In North Carolina.
Q Did she ever live in the Cherokee Nation? A No sir, she never came here.
Q Now it appears that your father came here in 1880 by himself? A I was a minor at school when he came here; I didn't come until 1890.
Q You were about 19 years old then? A I was just 18.
Q Now tell me, please, about your father's coming here and staying here, he came here in 1881 , that seems to be established by the record that is before me,? A Yes sir.
Q Did he stay here at that time? A I don't know. I know he made several trips, and went on business. He has been interested in the North Carolina Cherokees all along and he is there on business now in North Carolina; he is their attorney; I don't know when he came, I know when the rest of the family came; I was a minor.
Q Did your mother ever come to the Cherokee Nation? A No sir.
Q When you came here in 1890 did you register as a Cherokee?
A No sir.
Q Register as a North Carolina Cherokee? A No sir, I didn't think it was necessary; of course I was considered as knowing I didn't understand it was necessary.
Q Where did your father live principally after he came here in 1881

here part of his time and [illegible]
line and Washington City.
Q Was he generally engaged in business for the Indians? A Yes sir, that has been his business the largest part of the time; I

think he secured the transportation for most of the Cherokees here.

Q Do you know whether you were included in the application your father made for the admission to citizenship before the Dawes Com- Commission in 1896? A We didn't make any application ourselves; to the Dawes Commission, and if we were included we didn't know it.

Com'r Breckinridge: This case, the heading of which has been given, will be classed as a doubtful case, for the furth r consideration of the supplementary testimony given at this time, and also for the consultation of the full record in the case of her father before the Dawes Commission in 1896, and for the consideration, if when obtainable, of the terms of the act admitting the North Carolina Cherokees to citizenship.

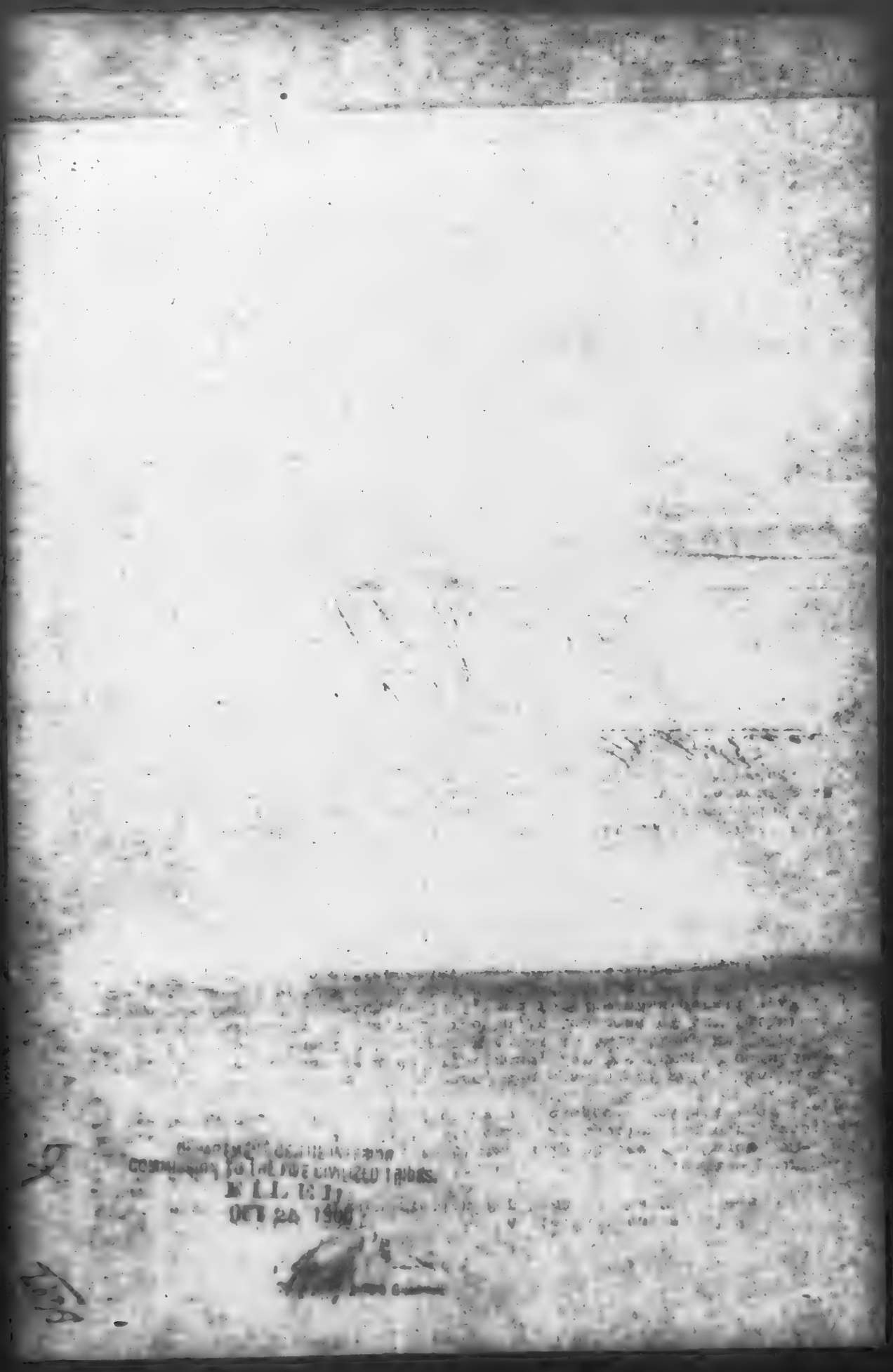
I.D. Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and co_lete transcript of his stenographic notes thereof.

I. D. Green

Subscribed and sworn to before me this 25th day of October 1900.

C. A. Breckinridge

Commissioner.



CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 25 1900 1900.

29 Name Elvira J. Matthews Cherokee Dt.

District ——— Year ——— Page ——— No. ———

Citizen by blood ——— Mother's citizenship ———

Intermarried citizen ———

Married under what law ——— Date of marriage ———

License ——— Certificate ———

28 Wife's name Nellie Matthews

District ——— Year 1904 Page 260 No. 3123

Citizen by blood ——— Mother's citizenship James Taylor — d

Intermarried citizen ——— Adelaide " — d

Married under what law ——— Date of marriage ———

License ——— Certificate ———

Names of Children:

3 Mary L. Matthews	Dist.	Year 1894	Page 260	No. 3124	Age 9
4 William L. "	Dist. "	Year "	Page 260	No. 3125	Age 7
5 Joseph T.	Dist.	Year	Page	No.	Age 5
6 Jesse M.	Dist.	Year	Page	No.	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

30

2 Chr 1894 Father - Ofa Matthews
Mother " " William L. P. Matthews

See Roll "B" page 304 No 4759. James Taylor and others. Application denied, No appeal.

MARRIAGE LICENSE.

CHEROKEE NATION I. T.

Cooweescoowee DISTRICT

To Any Person Legally Authorized to Solemnize Marriage Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to perform the rites and ceremonies of Marriage between Mr. D. J. Mathews a citizen of the United States, and Miss Ida Taylor a citizen of the Cherokee Nation, according to the usual customs and laws of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you

Given under my hand and Seal of Office this the 8th day of Dec

A. D. 18 93.

H. F. Smith

Clerk Cooweescoowee District

Cherokee Advocate Print, Vinita, Indian Territory.

Cherokee Nation, I. T.,

DISTRICT.

I [illegible]

a [illegible]

hereby certify that on the [illegible] day of

Dec [illegible] 18[illegible]

I joined in Marriage, Mr. [illegible]

[illegible]

a citizen of the United States, and Miss

[illegible]

a citizen of the Cherokee Nation, agreeable to the authority given in the within License and the customs and laws of the Cherokee Nation.

Given under my hand this the [illegible]

day of [illegible] A. D.,

18[illegible].

[illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 25 1900

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 22 1900

CHEROKEE Print, Vinita, Indian Territory

Cherokee Nation, I. T.,

DISTRICT.

I [illegible]

a [illegible]

hereby certify that on the [illegible] day of

Dec [illegible] 18[illegible]

I joined in Marriage, Mr. [illegible]

[illegible]

a citizen of the United States, and M[illegible]

[illegible]

a citizen of the Cherokee Nation, agreeable to the authority given in the within License and the customs and laws of the Cherokee Nation.

Given under my hand this the [illegible]

day of [illegible] A. D.,

18[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 22 1900

COMMISSION TO [illegible]
FILED
OCT 22, 1900

D - 697.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 15, 1901.

Supplementary testimony in the matter of the application of Addie Matthews for enrollment as a Cherokee citizen-

William E. Sanders, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A William E. Sanders.
Q What is your age? A About 41.
Q What is your postoffice address? A Claremore, I. T.
Q You know Addie Matthews? A Yes sir.
Q What testimony do you want to give in regard to this application?

Mr. Sanders states: - I am well and personally acquainted with James Taylor and his family; namely, John M. Taylor, Jr., James L., William T. Taylor, Madora Rucker and Addie Matthews, and that they now reside in Cooweescoowee district, Cherokee Nation, and I further state that while I was senator of Cooweescoowee District, Cherokee Nation, during the term of 1893 and '94, acting under a resolution passed by the National Council of the Cherokee Nation, requiring that each senator and council member from the nine districts of the Cherokee Nation proceed to make a roll of all citizens entitled to enrollment, and while we were making and compiling the roll of Cooweescoowee District for the payment of the strip money, the question of enrollment of Addie Matthews and family came up, and we had D. W. Bushyhead summoned before us and upon being duly sworn stated as follows: D. W. Bushyhead, now deceased, stated - "that when he left the Executive Office as Principal Chief of the Cherokee Nation, there was a list of the above named children excepting Addie Matthews, who was a minor and did not move with her father and other children." We, as a committee, demanded of the Executive Office the records or list claimed to be left there by D. W. Bushyhead, and a copy of the same was produced before us, and upon that record and statement we enrolled Addie Matthews and her children who had drawn money due from the sale of land of '96, known as the Cherokee strip. I further state that I am no relative to James Taylor and his family.

Q Are you in any way related to Addie Matthews? A No sir.
Q What position did you hold in the Cherokee Nation in '93 and '94 ? A I was a member of the Senate.
Q You are a citizen of the Cherokee Nation? A Yes sir.

By J. L. Baugh-representative of the Cheroke Nation-
Q What was the practice and rules of the Cherokee Nation in accepting citizens? A They generally went before the Council and if they were of age ask the Council to be readmitted; where they had ever been citizens.
Q Well, was it not a fact that in 1882, the Cherokee National Council passed a law extending an invitation to those people in North Carolina to remove here? A I think it was.
Q They also sent some delegates there to ask them? A I think so.
Q In that law were they not required after they come here to go and register their names? A That is my understanding.
Q Now from your understanding as a member of the Senate at that time, any person who failed to comply with that provision of the law under that invitation was not a citizen, were they? A I think not.
Q Well, did you have anything before you to show you that Addie Matthews, or any of her folks, had ever registered her as a citizen of the Cherokee Nation when she come to the Cherokee Nation? A Only the record produced by the Executive Department; only the statement from the Ex-Chief.
Q Well, that statement was simply a verbal statement; that was no written statement? A He made a statement under oath. The Committee

would qualify the witnesses. We had quite a number of people who had been admitted by Councils and Courts and their certificates were unconditional and could come at any time and be citizens and they would simply come and file those certificates and ask to be enrolled. We called in Chief Harris and asked his advice about enrolling these people and he says: " Its a long way around to the Council to go and readmit these parties, when the members are satisfied that they are Cherokees, and where the Committee is satisfied that the parties are Cherokees he says I think it is nothing but right that they should enroll them and not go to the trouble of asking the Council to readmit them. On his advice, we enrolled quite a number that had never been enrolled by any Council.
Q The laws in this case has never been complied with? A I suppose not.

Commissioner-
Q Who is the father of Addie Matthews? A My understanding is that Mr. James Taylor is.
Q You know whether he was ever legally admitted or not? A I do not.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. T. Rothenburger

Subscribed and sworn to before me this 15th day of March, 1901.

W B [illegible]

Commissioner.

15697

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 15 1901

ACTING CHAIRMAN

9 2697

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 18 1902

ACTING CHAIRMAN

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. WILDUS.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., June 15, 1902.

Received of the Commission to the Five Civilized Tribes one copy of the testimony to date in the matter of the application of Rand Miller et al for enrollment as ~~Freedmen~~ of the Cherokee Nation.

Respectfully,

To. Clerk.

[redacted]

[redacted]

[redacted]

In the matter of the application of David H. [redacted] for the enrollment of himself and others as citizens of the Cherokee Nation.

It is hereby ordered that all of the testimony, taken in the cases of James Taylor and Frank M. Hunter, D 968 and D 778 respectively, in the supplemental proceedings had in said cases at Muskogee, Indian Territory on January 17th, 1902, be filed with and made a part of this record.

[redacted]

To be filed with D 697.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JANUARY 17th, 1901.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE APPLICATION FOR ENROLLMENT OF JAMES TAYLOR AND FRANK RUCKER, "D" 6031 & "D" 6032 respectively:

James Taylor, being sworn and examined by Commissioner, C. R. Breckinridge testified as follows:

Q Give your full name? A James Tayler.
Q How old are you? A Seventy nine.
Q What is your postoffice? A Claremore.
Q In what district do you live? A Cooweescoowee.
Q Do you know Frank M Rucker? A Yes, sir.
Q Is his wife your daughter? A She is.
Q What is her name? A Her name is Dora.
Q Any other name besides Dora? A She was named after her grandmother, Susan Medora.
Q Was she ever called May D? A I do not know.
Q Her full proper name is Susan Medora? A Yes, sir.
Q Here's a marriage license issued by the clerk of Tahlequah District, September 13th, 1884, authorizing marriage between Frank M. Rucker, a citizen of the United States, and May D. Tayler, a Cherokee, and the certificate shows that they were united in marriage on the 4th day of September, 1884, by the Reverend L. M. Gravens? A Yes, sir, he is dead now.
Q Does this relate to the marriage between your daughter and Mr. Rucker? A Yes, sir.
Q This May D. Tayler is your daughter? A Yes, sir.
Q Was Frank Rucker ever married before he married your daughter? A I never heard of it.
Q Was your daughter ever married before she married him? A No, sir.
Q Have they lived together ever since they were married in 1884? A Yes, sir, they are living together now.
Q Did you come from North Carolina? A Yes, sir, but I am not on the North Carolina Rolls.
Q Why not? A I was born and raised in Tennessee.
Q Have you a certificate of your admission to citizenship? A No sir, I did not think I needed any, I came here in '80 and put our names on all.
Q Was your name enrolled at Tahlequah? A Yes, sir.
Q Have you any evidence of that fact? A Nothing more than the rolls.
Q Where is the official copy of the roll? A I have nothing of the kind.
Q You have no proof that your name is on that roll? A I can show that they was on that.
Q Was your mother a Cherokee? A She was.
Q What was your father? A David Tayler.
Q What was he, Cherokee or white man? A White man.
Q What was the name of your wife when you came here? A I did not have any wife.
Q Your wife was dead? A Yes, sir.
Q And you just brought your children? A Yes, sir, I have lived with them ever since.
Q Was your wife a white woman or a Cherokee? A White woman.
Q Were you ever married more than once? A No, sir.
Q Only married once? A Only once, yes sir.
Q When were you married? A I was married in--I think it was 1854.
Q Who was it you married? A Adline Manchester.
Q Did you pay your way or did the Cherokee Nation pay it? A I paid my own way; Ma and John.
Q You came from Tennessee? A No, sir, I came from North Carolina, but I was born and raised in Tennessee, but am not on the North Carolina rolls.
Q You were classed as a North Carolina Cherokee, were you? A Yes, sir, but I am not on the North Carolina Rolls.
Q You are on it in spite of all you say; how do you know you are not on the North Carolina Roll? A I have got a roll; I know we were not put on it under the act of '48, because we had been born and raised in Tennessee.

Q You speak a roll that was kept in North Carolina, do you not? A Yes, sir.
Q Well, now, put on your glasses and follow me: Who is that James Taylor there, fifty eight years old? A What year was that?
Q 1880? A That is myself I guess.
Q This is the man that paid his own way? Yes, sir, I paid it.
Q You think that is you? A Yes, sir, and I paid for my two daughters coming.
Q Why are not their names down here on this roll? A They were at school at the time I came in '80.
Q Where were they at school when you came here? A One was at Lenoir; the other at Ashville (Nashville?).
Q Back in the old country? A Yes, sir.
Q How long was it before you brought them out here? A Dora was first: She came with my son John, and when the others time was out, she came with Mrs. Boge.
Q They came later? A Yes, sir.
Q That is the reason their names were not put down at the time yours was? A Yes, sir.
Q When did your wife die? A She 's been dead about eighteen years or nineteen.
Q Where did she die? A She died in North Carolina.
Q You never brought her out here? A No, sir.
Q Have you lived here ever since you came in 1881? A Only when I was away on business.
Q Well, how much time were you away on business? A I have been away sometimes over a years I have stayed four years at a time and two years at a time: I have had some litigations going on that I had to attend to.
Q Did you always consider yourself a citizen of the Cherokee Nation? after you came here in 1881? A Yes, sir.
Q Did you ever vote back there in North Carolina or Tennessee? A Not since I came here: When I came here I was made magistrate. I have never voted or registered since.
Q Never voted or registered where? A In North Carolina.
Q Have you a certificate of your marriage to your wife? A No,sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q. Did you live with your wife until her death? A No,sir.
Q You separated from her? A Yes, sir.
Q How long before her death? A Well, it was some three or four years.
Q Then you separated from her in 1878? A '78.
Q You separated from her in 1873 then? A Yes, sir; some time in '70.
Q Can you not be more accurate about it? About what year in 1870?
A I cannot tell you.
Q You say some three or four years before her death, and she died in 1882 or 1883? A I came here in 1880.
Q She died when you came here? A Yes, sir.
Q And then you went back? A I went back as soon as we got the act passed through the legislature inviting the North Carolina people to come here.
Q That was in December, 1880 wasn't it? A Yes, sir, on the 3rd of December, 1880.
Q Well, when did you return here the next time under that act? A I went back and got two carloads of people: We had to make arrangements with some road to bring them here at twenty dollars a head, in '81: June 6th, '81 they left London, Tennessee and came here.
Q Well, when did you arrive here yourself? A I came here directly afterwards: I was here when the Act was passed.
Q I want when you came back the last time: That is what I am getting at. Did you come here in '81? A Yes, sir, I came here when they paid bread money: I received mine same as the others.
Q How long did you remain when you came in '81? A Until '84.
Q And then you went where? A To Washington on business.
Q How long did you remain up there? A Until somewhere along in 1886.
Q About what time in 1886? A In the fall of 1886:cold weather coming.
Q Since you have been here in the Cherokee Nation ever since the Fall of 1886?
A I stayed here until 1887.
Q Continuously? A Yes, sir.
Q [illegible] A Yes, sir I believe

I did go up to Washington, but I was not gone long.
Q Where did you live from 1880 now until 1887 in the Cherokee Nation?
A I lived first with my son John and Addie Matthews; occasionally with Lenora and I stayed a good while with my brother at Coffeyville.
Q Did these children live with you or their mother after the separation?
A Lived with me.
Q Always lived with you? A Yes, sir.
Q When did Mrs. Rucker come to the Cherokee Nation? A John brought her just as soon as her term of school was out.
Q When was that? A I cannot tell you exactly.

Cox'r. C. R. Breckinridge:
Q How old was she then? A She was thirteen.
Q But she came here when she was thirteen years old? A Yes, sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q How long after you returned here in 1880 was it that Mrs. Rucker came here? A I do not know.
Q Was it two or three years? A Two or three years; yes, sir.

Cox'r. C. R. Breckinridge:
Q Was she ever thirteen years of age when she came here? A She was a little over , because they put her out of college when she was thirteen.
Q Has she been here ever since that time? A Yes, sir, ever since; never been out of the Territory.

By Mr. W. W. Hastings, Cherokee Representative:
Q John Taylor then came with his sister, Dora some two or three years after you came? A No, me and John came first and got the arrangements made.
Q He did not return after this law was passed until he came with your daughter, Mrs. Rucker? A No, sir, he had been here before.
Q Well now when? A He had cut hay, quite a lot of hay in August, and they got this act passed inviting the Indians—the Indians they came in June, before June '81. We cut and self cut hay and then went back again.
Q Sold your hay where? A Up there close to Tahlequah.
Q When did you sell it to? A Cochran, a good part of it.
Q What Cochran? A I do not know.
Q What direction from Tahlequah did you cut hay? A West like; southwest.
Q What time of the year did you cut it? A August.
Q Of what year? A '80.
Q That was before the law was passed? A Yes, sir, and we came to get the law passed to get the invitation.

Cox'r. C. R. Breckinridge:
Q This John you speak of; is he your son? A Yes, sir, oldest son.

By Mr. W. W. Hastings, Cherokee Representative:
Q After he went back then you were out here the time you sold the hay, the next time John came back was then he came with Mrs. Rucker?
A Yes, sir, that's his second trip.

Cox'r. C. R. Breckinridge:
Q What year was it Mrs. Rucker came out here? A I cannot say exactly.
Q About 1883 or 1884, was it not? A It must have been.
Q You said it was three or four years after you came? A Yes, sir, she was going to school when I came; she was a minor and going to school.
Q Well how long after you came before your daughter, Who is now Mrs. Rucker, came out? A About three years.
Q And you came about three years after 1880? A Yes, sir.
Q Then John came here about 1883; came back? A This was his second trip
Q Came back the second time before 1884? A No, sir, third time. We were here first cutting hay.
Q In 1880? A Yes, sir.
Q Then did John go back again? A We cut and sold our hay and went back again.
Q John came with you in 1880 first and helped you get that law passed?
A Yes, sir.

Q And then he went back again? A Yes, sir.
Q Then after he went back after this first trip here, when did he come the second time? A Well, he came--he came here in 1884.
Q How long did he stay? A He did not stay very long.
Q Did he stay a month? A Yes, sir, he stayed a year.
Q And then he went back? A He went to Washington.
Q Where else did he go? A He went to Washington to settle up his accounts.
Q And when did he come back here? A He came back with Mara.
Q In 1884? Yes, sir, '83 or '4.
Q Has he been here ever since? A Yes, sir, never been away.
Q Now, you left here in 1884 to go to Washington? A Yes, sir.
Q And came back in 1890? A Yes, sir.
Q Were you in Washington all that time? A Most of the time.
Q Where you when not there? A I had some lawsuits back in North Carolina.
Q You were away six years? A No, sir, not all the time. I was here in 1890.
Q You were here in 1890, and you left in 1884: Where were you during that six years? A I was in Washington most of the time.
Q Where else? A In North Carolina in relation to my land matters.
Q So you were in Washington and North Carolina the whole time? A Yes, sir.
Q What were you doing in Washington all that time? A I had a power of attorney from these emigrants to come out here and collect the money due them from the government.
Q And you were in Washington only for the purpose of looking after that business? A Yes, sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q You swore that you had lived in the Cherokee Nation from the fall of 1890 until 1897, all the time continuously? A No, sir, I was out twice and back.
Q Where? A I went to North Carolina to see to my lawsuit.
Q When? A I went in 1891.
Q And when was the second time you went out and where? A I was back in '92.
Q Back in North Carolina in '92? A Back here.
Q You said you were out twice between 1890 and 1897; you have explained that you were out once; where were you the second time? A In '93.
Q Where did you go then? A I went up to Washington.
Q How long did you remain there then? A I remained about a year.
Q Then you came back here in 1894? A Yes, sir, I came back in '94 and I remained until 1897.
Q The from 1894 to 1897 you were here all the time? A Yes, sir.

Com'r. C. R. Breckinridge:
Q And then where did you go? A To Washington.
Q In 1897? A Yes, sir.
Q How long did you stay there? A Not long; I got a round trip to the McKinley inauguration.
Q Just stayed there on a limited ticket? A Yes, sir.
Q Can you not write back to North Carolina or Tennessee and get a copy of the marriage records showing the marriage between yourself and your wife, Adline Manchester? A I do not know. The records have all been burned. Burned in time of the War.
Q Is there anyone here that knows Mrs. Booker was recognized as your child, and known as your child? A I do not know except my own family relation.
Q Are any of them here? A I have a brother at Cherokee.
Q You never had her name put on the roll; Your name is on the roll; other people have their children's names on the roll, but you have not put your children's names on the roll? A What, Mrs. Booker?
Q Yes sir? A Buckyhead I drew them as minors when I first came.
Q That is what I am trying to prove? A If I could any other proof I will furnish it.
Q I want you to bring someone here that knows Mrs. Booker was your child? A Yes, sir.
Q So as to show that she is entitled to the rights that you enjoyed back there in 1851. A Well.

Q Will you bring someone here to give evidence about that? A Yes, sir, my people; we all lived there together.
Q Will you bring one person here who will swear; that knows all about it? A I can bring several.
Q Who will you bring here now that knows? that knew your wife, and knew you and she were husband and wife, and that this woman is your daughter, who can tell me that? A My brother, Tom.
Q Where is your brother Tom? A He lives up here on fourteen mile creek.
Q Can you bring him here? A I do not think he is hardly able to come.
Q Well who else can come? A Brother David; he lives up there at Chelsea.
Q Can you bring him? A I can, if necessary.
Q I want you to bring someone? A Well sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Were you ever married before you married the mother of Mrs. Rucker? A No, sir.
Q You had some children before you married her? A Yes, sir.
Q Did you testify before the citizenship court that you were the father of Mrs. Dege? A I do not know.
Q Did you not testify about her? A I do not know.
Q Will you swear that you did not? A I do not think I was called in as a witness.
Q Are you her (Mrs. Dege's) father? A Said to be: I raised her.
Q Do you recognize her as your child? A Yes, sir.
Q Are you the father of a Mrs. Powell? A No sir; she was a child of Mrs. Dearmit.
Q Mrs. Rucker's mother and Mrs. Dege's mother were not the same woman? A No sir.
Q Did you live with Mrs. Dege's mother as your wife? A No sir.
Q Did you ever live with her at all? A No sir; this child was born; it was laid to me; she said it was mine.
Q She was a white woman? A No sir, she was part Indian.
Q Cherokee? A That Blythe stock.

Com'r. C. R. Breckinridge:
Q How many children have you besides these born of your wife, Adline Manchester? A I have got eleven surviving children.
Q How many have you got that are not the children of Adline Manchester? A There are five here by the Manchester woman.
Q And then there are six that are not by the Manchester woman? A Yes, sir
Q Are these children all by one woman? A No sir.
Q Did you ever live as husband and wife with the mother of any of these six children who are not by your wife, Adline Manchester? A I did with one
Q You lived as the husband with one woman besides your wife? A Yes, sir, but I married her.
Q That is what I asked you a while ago and you said no? A There is only three--she died.
Q Only three what? A Three children.
Q These six children are by different mothers, to some extent at least? A Yes sir.
Q Were the mothers of these children all dead when you married your wife, Adline Manchester? A Yes, sir.
Q Their mothers were all dead? A Yes, sir.
Q I want to establish now the lawful marriage with this woman, Adline Manchester, and prove that these children are her lawful children: What was the occasion of your separation from Adline Manchester? A her conduct. She became dissipated.
Q Dissipated? A Yes, sir.
Q What do you mean by dissipated? A Well she went with the War pretty much, and she became so I would not live with her.
Q Do you mean that she became unfaithful? A Yes sir.
Q Are you confident that these are your children by her? A They were all born before she ever became any such way.
Q You bring someone here that can swear to your marriage to that woman, Adline Manchester, and to these children being recognized as your children by that woman? A I do not know about the marriage part, whether I can get anyone or not.
Q Is there anyone who knows you were married to her? A I was married by old man Britton; he is dead.

Q Is there no one living who knows she was your wife? A Yes sir, my brother David.

By Mr. W. W. Hastings, Cherokee Representative:
Q Which is your youngest child by your wife, Adline Manchester? Addie Mathews.
Q When was she born? A She was born--I think it was '71.
Q Is it not a fact that she was born some year or more after your separation from her mother, Adline Manchester? A No sir, she was born before any separation.
Q When did Mrs. Mathews come to this country? A She came with Mrs. Dege.
Q When was that? A I do not know exactly.
Q The last part of the '80's was it not. A Along in '83; maybe '84; when her time was out at school she came with Mrs. Dege.

Com'r C. R. Breckinridge:
The name of James Taylor, aged fifty eight years, appears on the roll of North Carolina Cherokees who paid transportation, which roll is in the possession of the Cherokee Representatives present, and it is noted in said roll that his right is through his mother.
The applicant claims that that is his name, enrolled at that time. The date of that enrollment is October 22nd, 1881.
This testimony will be added as supplemental in the case of Frank M. Bucker et al, "D" #772.
(Marriage license and certificate, relating to the marriage of Frank M. Bucker and May D. Taylor in 1894, showing that they were married in accordance with Cherokee law, is filed herewith.

Q Did you ever apply to the Dawes Commission for admission in 1896?
A In '97, I did.
Q You did not apply for admission in 1897: You applied for enrollment?
(No response)
Q You were not a party in an application made in 1896 to the Dawes Commission? A No sir.
Q You are not the James Taylor that is named in the case of Sarah Ann Gorham et al? A No sir.
Q Do you know the James Taylor? A No sir.
Q Who is William Taylor? A My son is named William.
Q But he is not related to the Gorham family? A No sir.
Q Do you know Ora Taylor? A No sir.
Q Do you know Meade Taylor? A No sir.
Q Do you know that family at all? A No sir, I never heard of them.

Com'r. C. R. Breckinridge: It appears from the testimony that this applicant was not a party in proceedings before the Dawes Commission for admission to citizenship. A copy of the foregoing testimony will be filed with his application, "D", #941.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Stevens.

Subscribed and sworn to before me this 18th day of January, 1901.

T. B. Needles
Commissioner.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the foregoing is a true and correct copy of the testimony taken in the above cause.

Mabel [illegible]

To be filed with, - D. #697.

"D" #941.
"D" #772.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JANUARY 22nd, 1901.

IN THE MATTER OF THE APPLICATION OF James Tayler - "D" Card #941- and Frank M. Rucker - "D" Card #772.
David Tayler, being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A David Tayler.
Q What is your age? A Seventy-four.
Q What is your postoffice address? A Chelsea.
Q Indian Territory? A Yes sir.

James tayler, being sworn and examined, testified:
Q What do you want to prove by this man? A That Medora was born while me and my wife were living together as man and wife.

David Tayler recalled:
Q Do you know James Tayler? A Yes sir.
Q Did you know his wife? A Yes sir.
Q What was her name? A Addie.
Q Do you know Frank M. Rucker? A Yes sir.
Q Do you know his wife, May D.? A Yes sir.
Q Do you know when this May D. was born? A Along about '66.
Q Well were James Tayler and his wife living together at that time? A Yes sir.
Q Do you know whether they were married or not? A Yes sir, they were married.
Q How far did you live from them? A About a quarter.
Q About a quarter of a mile? A Yes sir.
Q And while they were living together, this child, May D. Rucker was born? A Yes sir.

By Mr. J. J. Roach, Cherokee Representative:
Q How long did they live together after the birth of this child?
A I do not recollect.
Q About how long? A Some five or six years.
Q Do you know about how many children were born to them after the birth of this child? A About three I think.
Q What three? A Miram and Addie.
Q Were he and his wife living together when this child, Addie was born? A They were in Washington.
Q Do you know of your own knowledge that they were living together as man and wife then? A I can not say: They were in Washington.
Q And that child was born while they were living there?
A Yes sir.
Q About how long has Mr. James Tayler lived in the Cherokee Nation?
A I can not tell you -backwards and forwards - he had [illegible] law suits he had to attend to.
Q Has he ever made the Cherokee Nation his permanent home?
A I think he stays with his boys up there.
Q About how long at a time does he stay with his boys?
A About a year at a time, and he would have to go and attend to law suits.
Q Where was he living in the summer of 1900? A I do not recollect
Q Was he living in the Cherokee Nation? A I can not say: I do not recollect.

Com'r. T. B. Needles:
Q What relation are you to James Tayler? A He is a brother of mine.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(signed) R. R. Cravens.

Subscribed and sworn to before me this 23rd day of January, 1901.

(signed) T. B. Needles,
Commissioner.

I, A. R. Cheever, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that the same is a true and complete copy of the original manuscript.

A R Cheever

FILED
1902

File with case C. D. #697

Dupl.-T.L.#772.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of JOHN T. [illegible], for [illegible], as citizens of the Cherokee Nation; introduced on part of the Applicants:

The applicant was notified by registered letter February 18, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 18th day of March, 1902. On said date the applicant appeared in person and by his Attorneys, Hastings, Barker & West, Vinita, Indian Territory, and by agreement with the representative of the Cherokee Nation present, the case was continued until the 21st day of March, 1902. On this day, to-wit: the 21st day of March, 1902, the applicant appears in person and by his Attorneys.

Mr. W. W. Hastings, Cherokee Representative, present.

Commission: The Attorney for the applicant requests that the testimony had this day in the matter of the above application be filed with and made part of the record in the following cases: James Taylor, which was closed on the 13th day of March, 1902, No. D. 941; David J. Mathews, et al., closed March 7, 1902, No. D. 697, and Frank M. Rucker, et al., closed March 17, 1902, No. D. 772.

W. J. [illegible], being duly sworn, testified as follows on part of applicants:

EXAMINATION BY MR. [illegible]:

Q. State your name and residence? A I live in Tahlequah district, that is my home. I am at Wagoner at present; my name is W. J. [illegible].
Q. What is your age? A 40 years old.
Q. Where were you born? A Born in North Carolina.
Q. How long have you lived in the Cherokee Nation? A Ever since 1867.
Q. What official positions if any have you held in the Cherokee Nation during your life?
Mr. Hastings: I submit that is entirely irrelevant.
Q. What official positions have you held? A Why I was census taker there twice in Flint district.
Q. Were you acquainted with James Taylor? A Yes, sir.
Q. What has been his principal occupation or business during the time you have known him? A Which Jim Taylor?
Q. I mean the one Jim? A He has been most of his time since I was acquainted in Washington, looking to business of the Nation.
Q. Representative of the Nation, of the North Carolina Cherokees? A Yes, sir.
Q. Where has he been representing them? A At Washington.
Q. Have you ever a member of the Convention that appointed him or given him authority to represent the North Carolina Cherokees?

A Yes, sir; I suppose I was.
Q I wish you would examine that paper and see if that is a copy of the proceedings had at the convention and in what capacity you participated in that proceeding (paper shown witness and examined by him)? A Yes, sir, but I don't know anything about it.

Mr. Hastings: I submit that is a matter that is entirely irrelevant and it cuts no figure whatever with this case; it makes no difference how many North Carolina people he represented, it does not tend to show that he is entitled to citizenship here in any wise.

Mr. Parker: In that connection Attorney for the applicant desires to state that it is for the purpose of showing what [illegible] doing while residing in Washington, and thereby accounting for his absence from the Cherokee Nation.

Witness: That is the date of the proceedings.
Q In what capacity did you participate in that proceeding?
A I was president of that gathering.
Q What did that gathering do? A It gave Jim Taylor authority to look after the interests of the Cherokees of North Carolina in Washington.
Q What year was that? A 1894.

Mr. Parker? We desire to offer this copy of the proceedings had on that day.

Mr. Hastings: Well, the Cherokee Nation objects to it, first because it is anmatter entirely irrelevant, and second because it is not certified to and is only a typewritten copy and no signatures thereto.

Commission: The document will be filed, and the attorney for the applicant is requested to furnish the Commission with a certified copy of the same.

Q Do you know whether or not previous to that time James Taylor had been authorized to represent the Indians or North Carolina Cherokees, or had acted in that capacity? A No, sir, I don't know that he was; always my understanding is that he was at work for them; I don't know what authority, and don't know whether it was done by convention or anything about that.

Mr. Parker: We desire to now offer in evidence a certified copy of the proceedings of the Convention held at Bird Town on the 3d and 4th day of October, 1894, approving and confirming the actions of the Delegate, James Taylor, and conferring upon him additional powers as their representative.

Mr. Hastings: The representatives of the Cherokee Nation object to the filing of this document because it is not a certified copy of the record, and it does not purport to be, and the same is irrelevant and immaterial.

Q Where were you in 1880, Mr. Mckay? A I was in the Cherokee Nation.
Q Please state briefly your recollection of what happened in 1880 and 1881 with reference to the emigration of the North Carolina Cherokees to this country? A Well, there was an Act passed by the Council in 1880, sometime in November, that there were ten delegates sent back to North Carolina to invite the North Carolina Cherokees to the Cherokee Nation.
Q That was a matter of record there? A Yes, sir.
Q Did you, with those delegates, go back there?
A I went there.

Q Did you see the applicant, John M. Taylor, Jr., if so, where?
A Yes, sir; I saw him there in Cherokee County, North Carolina where those delegates had assembled with a crowd of Cherokees.
Q Was he among them? A Yes, sir.
Q What did that delegation do at that time? A They just extended the invitation to them to come to this country.
Q Pursuant to that invitation did people from that county and neighborhood come to the Cherokee Nation? A Yes, sir.
Q When did you next see John M. Taylor, Jr? A I don't recollect exactly but I think best of my memory serves me, it was in '81.
Q Whereabouts was he? A In Tahlequah.
Q In this country, Cherokee Nation? A Yes, sir, after I left there.
Q At what time did the North Carolina Cherokees who had accepted that invitation remove to the Cherokee Nation? A Some of them came that summer and in the fall.
Q It was that fall that you saw John M. Taylor here?
A I think it was.
Q To the best of your knowledge where has John M. Taylor resided since that time? A I could not tell you; I have seen him often; I have seen him at Tahlequah, in Cooweescoowee. I have heard of him often.
Q In this country? A Yes, sir, I don't know whereabouts he lived.
Q Were the North Carolina Cherokees who came in response to that invitation required to register at Tahlequah and to be enrolled, to your knowledge? A I could not tell you anything about it.
Q Did you so understand at that time? A I don't recollect anything about whether they were required to enroll or not; I know there was some that did enroll.
Q Was anything said about whether they would have to enroll or not?
A I never heard anything about it; there was some that enrolled that fall, some of the Powell children..
Q If they were required to enroll in response to that invitation you didn't know it at that time? A No, sir.
Q You were in Cherokee country, North Carolina when the invitation was extended? A Yes, sir.
Q And was here when they came? A Yes, sir.
Q According to your information where has James Taylor, the old man, made his, considered his home; where is his home considered to be since the North Carolina Cherokees came west? A I have saw him several times since and he always told me he lived in Cooweescoowee with his x children.

MR. HASTINGS:

Q The North Carolina Cherokees did come and enroll, didn't they, Mr. McKey, when they came here, to the Executive office? A Some of them did.
Q Well, do you know of any outside of these that didn't?
A No, I don't know that I do.
Q You don't know of any? A No, I don't.
Q As a matter of fact they all come there and were enrolled and were paid some money by an Act of the National Council? A Yes, sir.

Mr. Hastings: The Cherokee Nation offers in evidence a certified copy of the Act of National Council approved December 16, 1881, the same being an Act or appropriation for the relief of the North Carolina Cherokees lately removed to the Cherokee Nation.

Commission: The document will be filed and made part of the record in the case.

Mr. Parker: Attorneys for the applicant desire to object to the introduction of the Act of December 15, 1881, for the reason that the same provides for the payment of certain sum of money to persons whose names appear upon the roll, and has nothing whatever to do with persons who might have settled in the Cherokee Nation in response to the Act of December 3, 1880, and whose names were not upon that roll.

Mr. Hastings: The Cherokee Nation offeres this certified copy of this Act in evidence for the purpose of showing that all the persons who came to the Cherokee Nation under the Act of December 3, 1880, aggregated 168 persons and were enrolled in the Executive office of the Cherokee Nation, and the name of the applicant does not appear thereon.

Commission: The document will be filed and made part of the record.

The Attorney for the applicant requests and will be granted 20 days in which to file a brief in this case.

The Attorney for the applicant, and representative of the Cherokee Nation submit the case. The same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

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I, J. C. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. C. Rosson

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, September 30th, 1902.

In the matter of the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation and for the enrollment of his wife Addie Matthews and his children Mary L., William L., Joseph T. and Jessie M. Matthews as citizens by blood of the Cherokee Nation.

Supplemental to D-697.

Appearances:

Applicant appears in person.
Cherokee Nation by J. C. Starr.

DAVID J. MATTHEWS, being duly sworn, testified as follows:
Examination by the Commission.

Q. What is your name, please? A. David J. Matthews.
Q. How old are you at this time? A. 40.
Q. What is your post office? A. Claremore.
Q. Are you the same David J. Matthews for whom application was made to this Commission on October 22nd, 1900, for enrollment as an intermarried citizen? A. Yes, sir.
Q. What is your wife's name? A. Addie Matthews.
Q. Is she a citizen by blood of the Cherokee Nation?
A. Yes, sir.
Q. When were you and she married? A. In 1898, December.
Q. Married according to a Cherokee license? A. Yes, sir.
Q. Were you ever married prior to your marriage to your wife Addie? A. No, sir.
Q. Was she ever married prior to her marriage to you? A. No, sir.
Q. Have you lived together as husband and wife from the time of your marriage until the present time? A. Yes, sir.
Q. Never been separated? A. No, sir.
Q. You have never married any other woman since your marriage to her? A. No, sir.
Q. You were living together as husband and wife on September 1st, 1902? A. Yes, sir.
Q. Have you lived in the Cherokee Nation since your marriage to your wife? A. Yes, sir. Never lived out. Lived in Claremore all the time.
Q. How long has your wife lived in the Cherokee Nation?
A. Since 1898.
Q. Continuously? A. Yes, sir.
Q. Never been out since 1898? A. No, sir.
Q. Is your wife living at this time? A. Yes, sir.
Q. Is your children, Mary L., William L., Joseph T. and Jessie M. still living now? A. Yes, sir.
Q. These children have always lived in the Cherokee Nation, have they? A. Yes, sir.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 16th day of October, 1902.

B O Jones
Notary Public.

Cherokee D-697.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Addie Matthews, and his children, Mary L. Matthews, William L. Matthews, Joseph T. Matthews and Jessie M. Matthews, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 22, 1900, David J. Matthews appeared before the Commission at Claremore, Indian Territory, and made personal application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Addie Matthews, and his children, Mary L. Matthews, William L. Matthews, Joseph T. Matthews and Jessie M. Matthews, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Claremore, Indian Territory, on October 25, 1900, and at Muskogee, Indian Territory, on the following dates, to-wit: January 22, and March 15, 1901, and on March 7, and 21, and June 28, 1902, and September 30, 1902. Affidavits as to the birth of Joseph T. Matthews and Jessie M. Matthews were filed with the Commission on October 22, and November 9, 1900.

The evidence shows that on December 17, 1890 the said David J. Matthews was lawfully married, under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, to said Addie Matthews, nee Taylor, a Cherokee by blood, who is designated in said license as Ida Taylor. The other applicants, Mary L., William L., Joseph T. and Jessie M. Matthews were born of said marriage and are minors. Addie Matthews, Mary L. Matthews and William L. Matthews are identified on the 1894 strip payment roll. The other applicants, Joseph T. Matthews and Jessie M. Matthews, are not upon any roll, but are identified by birth affidavits made a part of the record herein.

The mother of the said Addie Matthews, a white woman, died in the State of North Carolina about sixteen years ago, but her father, James Taylor, who is a Cherokee by blood, came to the Cherokee Nation in 1881, under the provisions of an Act of the National Council of said Nation, approved December 3, 1880, and is duly identified on the 1881 Register of North Carolina Cherokees in possession of this Commission. The said Addie Matthews upon the date of the admission of her father to citizenship in the Cherokee Nation, and also at the time she removed thereto and made settlement therein in 1890, was a minor.

The evidence further shows that the said David J. Matthews and Addie Matthews have lived together continuously as husband and wife in the Cherokee Nation since the date of their marriage up to and including September 1, 1902. Their minor children, the other applicants herein, have resided with them since the date of their birth. The said James Taylor, father of the applicant, Addie Matthews, has also been a resident of the Cherokee Nation since the date of his admission to citizenship therein in pursuance of the provisions of said Act of December 3, 1880.

It is, therefore, the opinion of this Commission that David J. Matthews should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Addie Matthews, Mary L. Matthews, William L. Matthews, Joseph T. Matthews and Jessie M. Matthews should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this DEC 10 1902

D E P A R T M E N T O F T H E I N T E R I O R,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 18th 1902.

In the matter of the application of David J. Matthews et alkx for enrollment as citizens of the Cherokee Nation.

Cherokee D 697.

Protest of the Cherokee Nation.

Comes now the Cherokee Nation and protests against the decision of the Commission rendered in this case on the December 10th 1902 and respectfully asks that same, with the record and the brief heretofore filed by the Cherokee nation be forwarded to the Honorable Secretary of the Interior for review.

In addition to the argument in said brief the attention of the Honorable Secretary of the Interior is called to the misstatement made in the judgment of the Commissionwherein the Commission states that Addie Matthews, wife of David J. Matthews, the principal applicant in this case was a minor at the time she removed to and located in the Cherokee nation in the year 1890. The testimony of herself taken at Claremore shows in answer to the question "You were 19 years old then?" She replied "I was just 18."

This shows that she was not a minor; that she was of age and that she had reached her majority before she came to the Cherokee nation.

Respectfully submitted,

Attorney for the Cherokee Nation.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Meggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	833
Gertrude Palone	224	Emma Morris	842
Hugh Willis	230	Susie Fivekiller	847
Mary A. Wilkie	246	John F. Carden	861
John W. Thurman	268	William H. Burrow	907

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Cresden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Hendrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2116
Hiram Stephens	2157
Asa L. Gunn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Juha Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2282
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Barr	2385
Dora Sawers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Lonie K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Willard F. Eggleson	2668
Elisha W. Gray	2686
Jesse W. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broadlus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etna M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Elisa O'Field	2977
Margaret Sungee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Bernard Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
James M. Gallman	3161
Martha E. Garrett	3162
Arlie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Elias Henderson	3198
David H. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4277
Maud Adams	4277
Elizabeth Black	4281
Anna Thompson	4293
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swanmock	4329
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Suddeth	4440
Anderson Keen	4450
Ida M Adams	4457
Martha J Randal	4457
Mollie Conner	4457
Jane McGhee	4464
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4582
Nannie B Riley	4583
John W McDaniel	4584
Minnie Armstrong	4548
Ada Chouteau	4560
Mary Thompson	4577
Ota Armstrong	4593
Mary Spencer	4594
Clarkson L Woods	4603
James M McConnel	4604
Annie E Coker	4606
Jennie Long	4608
Julia Gilstrap	4617
Laura E Smith	4668
Annie Nicholas	4669
Minnie R Taylor	4671
Mary E Rogers	4674
Emma Downing	4675
William Steen	4681

Rose L Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Perrow L Jones	4641
Ada Berthoff	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clarence C Peck	4652
Mont Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Frances A Neilson	4681
John C Smith	4689
Ruth S Stewart	4691
Joan J Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C Winn	4707
Minnie F Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Green	4801
Ruby R Bean	4804
William J Dodson	4836
Blueshurn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rattlesnakeguard	4991
Ida McCoy	5003
Henry M Lyon	5100
Alice J Westfore	5101
Nancy Morris	5137
Ella Stidham	5140
Winfield Williams	5144
Bessie M Smith	5145
Mae Humphrey	5207
Minnie Burgess	5235

Nora B Burgess	5236
John E Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H Wells	5261
John T Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5356
Charles Horton	5390
James W Goddard	5417
Dora Cox	5425
Nannie G Alberty	5438
Sallie Ward	5455
William H Sutherlin	5484
Lizzie Hall	5487
Cyrus B Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D Miller	5496
Emberson M Arnold	5498
Stella Henry	5499
William E Oneal	5506
John M Sharp	5509
John L Davis	5514
Sarah E Downing	5518
Samantha C Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W Hallford	5535
Phoebe Coker	5537
Anthony K Douglas	5538
Joseph H Johnson	5541
Harvey O Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R Greer	5576
Rosa M Sixkiller	5581
Nancy Inlow	5587
Dansey H Owen	5589
Annie R C Owen	5600
Jesse McKnight	5602
Cicero J Strange	5610
Henry Westenhaver	5611
Emma H Roach	5612

William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shimp	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Seigel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Asa W Simerson	5683
William J Kuhn	5686
Elsie Couch	5688
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5701
Dennis W Smith	5702
William H Chesnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5730
Joseph S Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Crafton	5750
Benjamin F Coffee	5756
Frank McSpadden	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Extine	5796
Ida Wyly	5802
Richard L Fite	5815
Edward Lutz	5816
John F Woodworth	5820

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Eain M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Farley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6326
Emmer Carlile	6336
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6466
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Baller	6520
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Causey	6560
James McInerney	6561
Fannie Carlile	6578
Nadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6592
David W. Lamb	6595
Geo R. Hart	6602
Peca Phillips	6632
Lois E. Daniel	6670
William W. Turner	6690
Lillie B. Blackstone	6714
Mary Lillard	6735
James L. Lee	6717
Rosa Phillips	6723
Katie Brown	6735
Laura B. Bennett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Finch	6770
Maggie Letcher	6779
Dora A. McDonald	6783
Rosa B. Willis	6786
Daniel Hubbard	6787
Mary R. Tadpolle	6801
Magnus A. Meripaddlem	6811
Sarah E. Pattillier	6824
Clora Tuson	6845
Minnie M. Wolfrh	6846
Cora Griffin	6850
John S. Bryant	6853
Jefferson K. Turner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6907
James B. Deatherage	6901
Lucinda F. Harmon	6943
Frances E. Telker	6961
James M. Burt	6965
Rudy Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lawrence C. Dannell	6985
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hildebrand	7015
Alice M. Robinson	7031
Charles Morris	7042
Minerva J. Trent	7051
John H. Smith	7053
Katie E. Bailey	7060
Etta Patrick	7083
Yvonne Warren	7089
Rose B. Burns	7094
Samuel Bryan	7100
William H. Turner	7102
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cooley	7113
Benjamin Bauer	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Normag	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Phariss	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Goad	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kinsey Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Hello Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Nate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9656
Phinny Peterboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Leon E. Herrin	9854
Gaines E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Secepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875
William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setser	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Nannie Rogers	10024

James B Bradshaw	10025
Ida L White	10026
Addie B Miller	10027
William R Gendry	10028
James D Canary	10029
John Kelley	10031
Kate Craig	10033
John A Butts	10034
John J Dameron	10035
William Warner	10036
George A Allen	10037
Watie Shirley	10038
John E Carter	10039
John M Boyd	10043
William Fister	10047
Darius B Troth	10049
Harry A Kelley	10050
Mary E Purcell	10051
Myron L Bronson	10052
George W Taylor	10053
Josie Lowther	10054
Fannie D Perry	10055
Minnie B Williams	10056
Solomon Copeland	10058
Etha B Wood	10059
James Pace	10060
Wiley B McElhaney	10062
Nancy Patrick	10063
James R Stout	10072
George Parker	10073
Laura Morton	10074
John D Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R Stubblefield	10080
Thomas J C Thompson	10081
Cora P Harlan	10082
William L Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J Matthews	10094
Thomas Brown	10100
Houston J Payne	10103
Malinda E Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B Brown	10109
Samuel L Mulligan	10111
Millie A Carnes	10113
Lucy E Robards	10114
Edward H Fitzgerald	10115
John T Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B Tittle	10124
Richard A Clark	10126
Emma B Martin	10128
Walter L Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M Waybourn	10138
Minnie Shutt	10139
Charles L McClure	10140
William W Russell	10141
Delia Jenkins	10142
John A Hood	10143
Ora Mayfield	10145
Mary L Cloud	10146
Callie Inlow	10147
Everett M Lawrence	10148
Dora E Hays	10150
Julia M Schrimsher	10151
Parmelia E Lyman	10153
Charles F Trickey	10161
Louisa J Palmour	10169
George L Walker	10170
Annie Taylor	10171
Jesse Winters Hall	10174
Abee Nichols	10181
Lizzie Dye	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J McClain	10192
Ethan J Price	10199
Reese Still	10200
Hannah E Langley	10201
Alma Keith	10203
Flora A Terrill	10204
Talmphora A Paradee	10205
Samuel Shadix	10206
Mary E Childers	10207
Robert M Hamilton	10208
John Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGilamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Ouriee W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	324
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrach C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	430
John M. Ridenour	D	438
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	698
Emma Waybourn	D	698
Dora E. Rogers	D	703
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Beethe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	770
Georgia A. Waybourn	D	786
Rhea Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleero F. Rogers	D	824
Annie Garrett	D	830
George S. Yarbrough	D	875

Rhoda A Sanders	D	878	Ella [illegible]	D	1320
Manuel Spencer	D	884	Emma Wolford	D	1330
Benjamin H Hulbert	D	891	[illegible]	D	1332
Mary Brassfield	D	935	[illegible]	D	1334
James L Tindle	D	944	[illegible]	D	1337
Silas G Reneckar	D	966	[illegible]	D	1342
Eliza Wofford	D	967	[illegible]	D	1352
Jasper L Newton	D	971	[illegible]	D	1361
John N Gunn	D	974	[illegible]	D	1363
Hannah Parsons	D	980	[illegible]	D	1367
Nellie C Helterbrand	D	1003	[illegible]	D	1369
Thomas J Welch Jr	D	1006	[illegible]	D	1375
Lizzie Christian	D	1010	[illegible]	D	1433
George Hazlewood	D	1013	[illegible]	D	1434
James M Jones	D	1022	[illegible]	D	1448
Reuben A Evans	D	1032	[illegible]	D	1458
Carrie H Cobb	D	1049	[illegible]	D	1474
John M Burns	D	1060	[illegible]	D	1535
Sarah E Henson	D	1083	[illegible]	D	1558
Laura D Henson	D	1086	[illegible]	D	1567
Hettie E Downing	D	1090	[illegible]	D	1581
Benjamin F Crain	D	1099	[illegible]	D	1637
Benjamin Strickler	D	1129	[illegible]	D	1681
Nancy Stannard	D	1130	[illegible]	D	1866
Annie Wilson	D	1131	[illegible]	D	1915
Ora H Maxwell	D	1135	[illegible]	D	1967
Reuben W Maxwell	D	1136	[illegible]	D	1992
Cora Childs	D	1146	[illegible]	D	2024
Janie Hughes	D	1179	[illegible]	D	2216
Frances B Reed	D	1180	[illegible]	D	2501
Martha Carey	D	1195	[illegible]	D	2502
Christina Johnson	D	1199	[illegible]	D	2505
Louvenia Ironside	D	1208	[illegible]	D	2509
Martha J Henson	D	1218	[illegible]	D	2603
David A Martin	D	1228	[illegible]	D	2605
Fred D McEnery	D	1235	[illegible]	D	2606
Nathaniel R Martin	D	1261	Alexander [illegible]	D	2607
James H Requa	D	1266	Priscilla Ross	D	2609
Frank Carver	D	1267	[illegible]	D	2609
Etta B Payne	D	1270	[illegible]	D	2612
Mary Garrett	D	1271	[illegible]	D	2613
Joe W Goodman	D	1272	[illegible]	D	2614
Mathew J Flanigan	D	1274	[illegible]	D	2618
Lizzie C Holland	D	1285	[illegible]	D	2619
Etta Downing	D	1291	[illegible]	D	2620
William Caywood	D	1296	[illegible]	D	2667
Clarence W Turner	D	1307	[illegible]	D	2686
Alfred Chaney	D	1313	[illegible]	D	2687
Euphemia Sweetwater	D	1314	[illegible]	D	2689
Bita Russell	D	1319	John Caldwell	D	2690

Herbert F Couch	D	2700	Samuel A Parkhurst	D	2891
Albert C Dyhre	D	2703	Ellen Rogers	D	2892
Debora Drew	D	2704	Elijah Hulbert	D	2897
Frank F Dandereau	D	2705	Eastham Steele	D	2898
Jessie Gafford	D	2706	William W Strader	D	2899
Anna L Harlin	D	2717	Sallie Hammonds	D	2901
William R Lane	D	2717	Mary Steele	D	2902
Bertha Landrum	D	2718	John F Wolf	D	2905
Lula Mace	D	2722	Ruth A Wyatt	D	2940
John D Mathews	D	2723	Minnie Daugherty	D	2954
Mary McIntosh	D	2725	Mary Gaither	D	2955
Bertha Nediller	D	2730	Lydia Long	D	2956
Richard Norbeck	D	2731	Lottie Holmes	D	2957
William O Ross	D	2738	Rhoda Wood	D	2959
Irene Riley	D	2739	Elmira J Wherry	D	2965
William H Rourke	D	2740	Thomas C Corrine	D	2966
Columbus C Strayhorn	D	2741	Edward Fowler	D	2967
Della Summers	D	2745	Dora Foreman	D	2968
William S Sage	D	2749	Porter Holt	D	2969
Elsa Thomas	D	2748	John Huston	D	2969
Jessie P Thurman	D	2749	George Hartin	D	2911
Mary E Davis	D	2770	Perrillia Dunnson	D	2913
Jessie Frick	D	2774	Bertie Murrin	D	2915
Emma Buffington	D	2780	[illegible] Sparks	D	2917
Will Black	D	2789	Marnet Wyatt	D	2918
Maggie E Davis	D	2792	Ellen Ware	D	2919
Thomas Dotts	D	2793	Nora Horton	D	2920
William Dawe	D	2794	Lonnie Anderson	D	2924
Nancy Dawson	D	2796	Frances Dysart	D	2934
Lena Fields	D	2797	Waddie B Hayes	D	2937
Effie Grayham	D	2798	James A Hankins	D	2938
Alice C Hill	D	2799	Joseph Hardee	D	2941
Bertha H Harlin	D	2800	Ramon Hare	D	2942
Maggaret C Hudson	D	2801	Bradley Hall	D	2943
Joseph A Kelley	D	2802	John E Lehmich	D	2945
Andrew O Kepler	D	2803	Mattie Hanson	D	2954
Josephine King	D	2805	Della D Caldwell	D	2955
Sarah Jane Henderson	D	2806	Charles W Phillips	D	2959
Marion Maddox	D	2807	Sarah Hamlin	D	2960
John A McKinnon	D	2808	Nettie Young	D	2961
Isaac McGee	D	2809	Jerry F White	D	2962
Ollie Miller	D	2810	Almeda Elam	D	2963
William A Martin	D	2811	John + J Fowler	D	2965
Jesse P Murrow	D	2812	Lonnie Hood	D	2966
Oliver Mason	D	2813	James D Anderson	D	2967
Edna Whitehead	D	2814	Emma G Nelson	D	2968
Charles Newbold	D	2815	Alice Stowers	D	2969
Etta M Nediller	D	2817	George O Wadlow	D	2969
Lonnie Osborne	D	2816	Jessie Cline	D	2998
William H Patterson	D	2820	Ellen Drew	D	3019

Lee Fish	D	3081	Della Bubbridge	R	105
Horace Gray	D	3082	Samuel Kirby	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones, Jr.	D	3085	Ella Anspach	R	241
Benjamin Lewis	D	3086	Michael R. Miner	R	266
Martha Spade	D	3087	Belle A. Powell	R	352
Juliam Wyrick	D	3088	Austin L. Hill	R	420
Samuel Hanlon	D	3155	Mary L. Dudley	R	439
Lizzie Thomas	D	3171	Stephen Haslett	R	465
Jack Morland	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Berge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3182	Dora Crane	R	628
Minnie Thompson	R	4	Andrew Sitzell	R	642
Jimmie G. Thompson	R	5	John Sitzell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Berger	R	656
Rosanna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	64	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Samuel Red Bird, et al., vs. the United States, Nos. 238, 239, 237 and 126, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____

Commissioner.

Dated at Muskogee, Indian Territory,

this January 30, 1907.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 24 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 17, 1902.

Mr. David F. Matthews,

Claremore, Indian Territory,

Sir:-

You are hereby notified that the application of Yourself, your wife and four minor children for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to Whitehorse Perfect & Ward
Vinita

Very truly,

Cherokee D-697
Register.

Acting Chairman.

Commissioner in Charge.

COPY.

Cherokee D-697.

Muskogee, Indian Territory, December 13, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie Matthews, and his minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you shall fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. D-697.

COPY.

Cherokee D-697.

Muskogee, Indian Territory, December 20, 1902.

David J. Matthews,

Claremore, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of your wife, Addie Matthews, and your four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of the Cherokee Nation.

There has heretofore been furnished your attorneys, Hutchings, Parker & West, Vinita, Indian Territory, a copy of the record of proceedings had in the original application, and there has this day been forwarded to them a copy of the record of supplementary proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

COPY

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Enc. H-397.

Register.

COPY.

Cherokee D-697.

Muskogee, Indian Territory, December 20, 1902.

Hutchings, Parker & West,
Attorneys for David J. Matthews, et al,
Vinita, Indian Territory.

Gentlemen:

There is herewith inclosed a copy of the record of supplementary proceedings had in the matter of the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie Matthews, and his four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of the Cherokee Nation., together with a copy of the Commission's decision, dated December 10, 1902, granting said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicant by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Enc. K-398.
Register.

Commissioner in Charge.

Pg.

Cherokee D-697.

Muskogee, Indian Territory, December 20, 1902.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie Matthews, and his four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of the Cherokee Nation, a copy of which decision was furnished you on December 15, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. L. Needles.

Commissioner in Charge.

Copy

Cherokee R-697.

Muskogee, Indian Territory, December 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie Matthews, and his four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated December 10, 1902, granting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is inclosed.

Respectfully,

T. B. Needles

Commissioner in Charge.

Through the Commissioner

of Indian Affairs.

Enc. R-699.

Refer in reply
to the following:
Land
76077-1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

January 28, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had in the matter of the application of David J. Matthews, for the enrollment of himself as a citizen by intermarriage in the Cherokee Nation, and for the enrollment of his wife, Addie Matthews, and his children, Mary L., William L., Joseph T. and Jessie M., as citizens by blood in the Cherokee Nation.

On December 10, 1902, the Commission rendered a decision in this case in which they found that the record shows that on October 22, 1900, the application herein was made before the Commission for the enrollment of the parties aforesaid; that the evidence shows that on December 17, 1890, the said David J. Matthews was lawfully married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, to the said Annie Matthews,

nee Taylor, a Cherokee by blood, who is designated in said license as Ida Taylor: that the other applicants were born of this marriage and are minors; that Ada Matthews, Mary L. Matthews and William L. Matthews, are identified on the 1896 strip payment roll; that the other applicants are not on any roll, but are identified by birth affidavits which are made a part of the record; that the mother of said Addie Matthews, a white woman, died in the State of North Carolina about sixteen years ago, and her father, James Taylor, who is a Cherokee by blood, came to the Cherokee Nation in 1851, under the provisions of an act of the national council of said nation, approved December 3, 1850, and is duly identified on the 1851 register of North Carolina Cherokees in possession of the Commission; that the said Addie Matthews, upon the date of the admission of her father to citizenship in the Cherokee Nation, and also at the time she removed thereto and made settlement therein, in 1860, was a minor; that the said David J. Matthews and Addie Matthews have lived together continuously as husband and wife, in the Cherokee Nation, since the date of their marriage, up to and including September 1, 1902, and that their minor children have resided with them since the date of their birth. The evidence also shows that James Taylor, father of the applicant Addie

Matthews, has also been resident in the Cherokee Nation since the date of his admission to citizenship therein.

By reason of the premises, the Commission is of the opinion that the said David J. Matthews should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that the other applicants should be enrolled as citizens by blood of said Nation, in accordance with the provisions of section twenty-one of the act of Congress, approved June 28, 1898 (30 Stat., 495).

The office has examined the record in this case and considers that the conclusions of the Commission based upon the facts aforesaid are in accordance with the testimony introduced at the hearing of the application herein, and recommends that the decision of the Commission herein be affirmed.

Very respectfully,

A. C. Tanner,
Acting Commissioner.

W.C.B.

D.C. 3897-1903

J.P.

DEPARTMENT OF THE INTERIOR,

FEB

WASHINGTON.

I.T.D. 844-1903

February 2, 1903.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife, Addie Matthews, and their children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood of said nation, submitted with your letter of December 20, 1902, (D 697).

Addie Matthews, Mary L. Matthews and William L. Matthews are identified on the 1894 strip payment roll; Joseph T. Matthews, five years of age, and Jessie M. Matthews, two years of age, are identified by birth affidavits.

The Nation protests against your decision of December 10, 1902, in which you merely stated the facts appearing, and concluded therefrom, without taking up the

contentions of the Nation, that the parties should be overruled.

Matthews and his wife were legally married December 17, 1890, in accordance with Cherokee law.

It appears that the mother of Addie Matthews, a white woman, died in North Carolina, apparently prior to 1887; that prior to her death she and her husband, James Taylor, father of Addie Matthews, had separated; that James Taylor, a Cherokee by blood, came to the Cherokee Nation in 1881, under the provisions of the Cherokee law of December 3, 1880, inviting North Carolina Cherokees to remove to and settle in that Nation, and that his name appears on the 1881 register of North Carolina Cherokees; that the name of Addie Matthews, formerly Taylor, does not appear thereon; that Matthews was one of those who paid his own way from North Carolina, and he testifies that he "paid for my two daughters coming;" That Addie Matthews, at the date of the readmission of her father to citizenship, was a minor about nine years of age and at school; that she came to the Nation in 1890 when she was "just 18."

You stated in your decision that James Taylor has remained in the Cherokee Nation since the date of his admission to citizenship in pursuance of said act of December 3, 1880.

Reporting in the matter January 26, 1903, the Acting Commissioner of Indian Affairs, without mentioning the protest of the nation, states that he considers the conclusions of your Commission correct.

The Nation asserts that, as Addie Matthews came to the Cherokee nation when she was past 18 years of age, and as she has never been "readmitted" to citizenship, none of the applicants are entitled to enrollment.

The Department considers that, as the act of June 28, 1898, (30 Stats., 495), provides, in section twenty-one, that your Commission shall enroll, in the Cherokee Nation,

> "All persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation, whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted,"

and as Addie Matthews was a minor at the time her father was admitted, though she was residing in the east at school, she is entitled to enrollment, and therefore also her husband and children. Besides, her father's residence in the Nation was her legal residence. If, also, minority in case of a female ceases under Cherokee laws at 18 years of age, as contended by attorney for the Nation, minors situated as the one in question was, residing away from the Nation, had

a reasonable time after arriving at that age within which to return to the Nation. This the party did.

That the Cherokee Nation did not desire to impose hardships on readmitted adults and minors residing away from the Nation, is shown by the Act of December 4, 1894, quoted on page 147 of your Eighth Annual Report.

Your decision is accordingly hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

(signed) Thos Ryan
Acting Secretary.

1 inclosure.

COPY.

Cherokee D-697

Muskogee, Indian Territory, February 13, 1903.

W. V. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision, dated December 10, 1902, granting the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie, and his four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood, of the Cherokee nation, was affirmed by the Secretary of the Interior on February 8, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY.

Cherokee D-697

Muskogee, Indian Territory, February 13, 1903.

Hutchings, Parker and West,
Attorneys for David J. Matthews et al.,
Vinita, Indian Territory.

Gentlemen:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting the application of David J. Matthews for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Addie, and his four minor children, Mary L., William L., Joseph T. and Jessie M. Matthews, as citizens by blood, of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 2, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY

Cherokee D-677

Muskogee, Indian Territory, February 11, 1903.

David F. Matthews,

Claremore, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Addie and your four minor children, Mary L., William L., Joseph F. and Jessie M. Matthews, as citizens by blood of the Cherokee nation, was affirmed by the Secretary of the Interior on February 2, 1903.

Respectfully,

Acting Chairman.

Cherokee
10094

Muskogee, Indian Territory, January 10, 1907.

David J. Matthews,

Claremore, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn. D

Commissioner.

473

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 12, 1907.

[redacted],
[redacted], Indian Territory.
Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 26, 1805, and who have the right under the Act of Congress approved March 2, 1907, (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March

Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes either at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make [illegible] complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, plats will be open for inspection showing the location of tentative allotments made by former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for, within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

VV

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of Emma Walsh, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 24, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.5-180
KDH

Commissioner.

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, INDIAN TER

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Cher 10095

Milam C. Smith

Transferred from R 380

Cher 10095

R/ 0

Wm J. SMITH, REJECTED.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Claremore, I.T. October 27th, 1900.

IN THE MATTER OF THE APPLICATION OF MILIA CAROLINE SMITH FOR THE ENROLLMENT OF HERSELF AND HUSBAND AS CHEROKEE CITIZENS.

The said Milia Caroline Smith, being sworn by Commissioner C. R. Breckinridge, was examinedby the Commission and testified as follows:

Q What is your name? A Milia Caroline Smith.
Q How old are you? A Twentytwo years old.
Q What is your post office? A Claremore.
Q Do you makeapplication for enrollment as a Cherokee citizen by blood? A Yes, sir.
Q For whom do you make application? A For myself.
Q Just yourself? A Yes, sir.
Q No husband or children? A Yes, sir; I have a husband. I don't know whether he will get on or not.
Q Do you make application for him? A Yes, sir.
Q You apply then for yourself and husband? A Yes, sir.
Q What district do you live in? A Coeweescoowee.
Q How long have you lived there? A Five years.
Q Where did you live prior to that time? A Before then?
A Yes, ma'am. A I was raised in Arkansas.
Q How long did you live in Arkansas? How long have you lived in the Cherokee Nation? A I have lived here five years.
Q Have you been outside the Cherokee Nation within the past three years? A No, sir.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Upon what do you base your right to enrollment as a Cherokee? A Well, my father was a Cherokee.
Q What is your father's name? A Granville Coker.
Q Is he living or dead? A He is dead.
Q A Cherokee by blood? A Yes, sir.
Q What is your mother's name? A Nancy Coker.
Q Is she living? A No, sir.
Q Was she a Cherokee? A No, sir. She was a white woman.
Q Were you and your parents ever admitted to citizenship in the Cherokee Nation? A Well, I don't know.
Q Were you ever admitted by an act of the Cherokee Council? A No, I don't think I ever was.
Q Did you ever make application to the Commission to the Five Civilized Tribes, known as the Dawes Commission? A No, sir.
Q Does your name appear upon the authenticated roll of 1880? A No, sir.
Q Does it appear upon the 1894 strip payment roll? A Yes, sir.
Q Did you draw money in 1894? A My uncle did for me.
Q Does your name appear upon the 1896 census roll? A Yes, sir.
Q Did you or your father ever make application to the Tribal Authorities of the Cherokee Nation for enrollment as citizens of the Cherokee Nation? A No, sir.
Q Then upon for whatreason were you placed on thattribal roll if you have lived in the State of Arkansas for all your life except the last five years? A Well, my father went to Arkansas when he was a boy and he married there and died.

Q Your father lived and died in Arkansas? A Yes, sir; he lived there about two years, I guess.

Q He never came to the Cherokee Nation? A Why he was raised here.

Q When didyour father remove to Arkansas? A Why, I don't know just when he did, but he was there about two years. I think he died in 1877.

Q What was the name ofyour husband? A William J. Smith.

Q Is he living? A Yes, sir.

Q Is he a Cherokee? A No, sir.

Q How old is your husband? A He is twenty-five years old.

Q What is his father's name? A I forget.

Q Do you know what his mother's name was? A His mother's name was Annie.

Q Were his parents ever recognized as citizens of the Cherokee Nation? A No, sir; they are White Folks.

Q When were you married? A In 1895.

Q Were you married in accordance with the laws of the Cherokee Nation? A In 1896 I was.

Q You remarried in 1896? A Yes, sir.

Q You were first married under the laws of Arkansas? A Yes, sir.

Q Have you any evidence of your marriage to your husband under the Cherokee laws? A I have my license.

The applicant presents a Cherokee marriage license authorizing marriage of William Smith, a citizen of the United States, to Mrs. Millie Smith, Nee Coker, a citizen of the Cherokee Nation, issued on the 31st day of October 1896 by Joe M. Lahay, Clerk of Coowescoowee District; and certificate showing that the said parties were married by Joe M. Lahay, Clerk of Coowescoowee District on the 31st day of October, 1896. The license is filed herewith.

Q When did your mother die? A She has been dead thirteen years

Q Do you knew ofyour own personal knowledge whether or not either you or your father ever made application to the Cherokee Council for readmission to Cherokee Citizenship? A No, sir; we never did.

Q You are positive you never did? A Well, not to my knowledge we never.

Q What was your name in 1894? A Coker.

Q Did you make application to the Cherokee Tribal authorities in 1896 to be enrolled? A Yes, sir; I was enrolled in 1896.

Q Under what name? A Smith.

Q Were you living here in Coowescoowee District at that time? A Yes, sir.

Q Did you ever have any brothers and sisters? A No, sir.

Q Did you receive any money from the Cherokee Nation 1894? A Yes, sir; I did.

Q Who are Lewis, Willis, Benjamin and Joseph Coker? A They are my connections, My father's brother's and sisters.

Q Who drew your money in 1894? A Lewis Coker.

Q Is he your father's brother? A Yes, sir.

Q You were living in Arkansas when your uncle drew the money for you? A Yes, sir.

Q Did he send you that money? A No, sir.

Q You never received any of it? A No, sir.

Q Did he tell you that he drew your money for you? A Yes, sir.

Q What di the census enumerators tell you when you made application to them for enrollment in 1896? Did they tell you they would enroll you? A Why, yes they did enroll me, and they said they would, me and my husband both.

Q Do you know the test that census? A No, sir; I don't.

Q Were you notified by the [illegible] that your name had been

stricken from the roll of 1896? A No, sir.

Q Did the census takers notify you they would enroll you and your husband both in 1896? A They said they would.

Q What part of Coowoescoowee District did you live in in 1896? A I was around Claremore.

Q Don't you know who the census takers were that were at Claremore at that time? A I think Joe (indicating Joe Sequichie) was one of them.

Q Did your uncle ever have a daughter named Millie? A No, sir; not that I know of. But he has always drawed money for me.

1896 Roll, page 255, No. 4361, Amelia Smith, Coowoescoowee District, Native Cherokee.

1896 Roll, page 323, No. 928, William Smith, Coowoescoowee District. Intermarried white.

1894 Roll, page 158, No 918, Willie Coker, Coowoescoowee District.

Q Do you know where your father and mother were married? A They were married in Arkansas.

Q Under the laws of Arkansas? A Yes, sir.

The applicant applies for the enrollment of herself and husband. She is identified upon the census roll of 1896 and upon the roll of 1894 as a native Cherokee. She is not identified on the roll of 1880, and neither are herparents. She says that her father removed to the State of Arkansas in 1875 and thathe died in 1877. He married his wife, the applicant's mother, under the laws of the State of Arkansas. The applicant was born in Arkansas and lived there continuously up until five years ago, when she removed to the Cherokee Nation. She has lived continuously in the Cherokee Nation since that time. She avers that she never applied to the Cherokee Tribal autherities for readmission to citizenship in the Cherokee Nation. She will be listedfor enrollment by this Commission as a Cherokee by blood on what is known as a doubtful card. When final decision is rendered in her case she will be notified at her post office address.

As to the application which she makes in behalf of her husband William J. Smith: He is identified uponthe census roll of1896 as an adopted white. He was married to his wife in 1895 in the State of Arkansas under the laws of that state. On the 31st of October, 1896 he was remarried in accordance with the laws and customs of the Cherokee Nation and presents satisfactory proof of that fact. He was married under the Cherokee laws too late to acquire property rights, and his application for enrollment as a Cherokee by intermarriage is hereby rejected.

MR. JOEL H. BAUM (Representative of Cherokee Nation) The Cherokee Nation, through its attorneys, claim that the applicant is not entitled to citizenship by Cherokee blood for the simple fact that her father moved out of the limits of the Cherokee Nation, becoming a citizen of the State of Arkansas; marrying there and the applicant being born there she acquired only the rights of a citizen of the State of Arkansas, and before she could attain any rights to citizenship in the Cherokee Nation she would have to apply to the National Council under Article I, Sec. 2 of the Cherokee Constitution.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Willie Caroline Smith et al.

ographic notes thereof.

Mrs S McKee

Subscribed and sworn to before me this 27th day of October A. D. 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION

Date OCT 27 1900

Name Clarence Dill

District Year Page No.

Citizen by blood Mother's citizenship Cherokee

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Nellie A. Smith.

District COOWEESCOOWEE. Year 1896 Page 253 No. 4361

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

CW 1896 Dill & Amelia Smith

R.380 a

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COMMISSION TO THE
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Rejected

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T. September 1st 1900

In the matter of the application of Miles C. Smith for enrollment as a Cherokee citizen. The testimony taken before Col. T. B. Needles, is taken as follows:

Q What is your name? A. Miles C. Smith.
Q What is your age? A. 22.
Q What is your post office address? A. Claremore.
Q How long have you been here in? A. Claremore.
Q Are you a recognized citizen of the Cherokee Nation? A. Yes sir
Q By blood? A. Yes sir.
Q Who is it that you want to have enrolled? A. Myself,
Q What is your father's name? A. Granville Coker.
Q What is your mothers name? A. Nancy Coker.
Q Are they living? A. No sir.
Q Were you ever married? A. Yes sir.
Q Husband living? A. Yes sir.
Q What was your name before you were married? A. Coker.
Q How long have you been in the Cherokee Nation? A. 5 years
Q Where were you living before that? A. Arkansas.
Q Are you on the 1880 roll? A. No sir.
Q Is your name on any roll of the Cherokee Nation? A. On the 1896 roll and the pay roll.
Q Have you any proof of citizenship? A. Yes sir, my Grandmother over there.
Q You say you were born in Arkansas? A. Yes sir.
Q Lived there until how long ago? A. 7 years ago.
Q Never lived here before? A. No sir.
Q Was you married when you came here? A. Yes sir.
Q When were you married? A. In 1895.
Q Did you apply to the Dawes Commission for citizenship? A. No sir
Q Never have been recognized by any of the Cherokee authorities as a citizen? A. No I don't know as I have. I was married here according to the Cherokee laws though.
Q Did you draw your strip money in 1894? A. Yes sir my uncle drew it for me.
Q What is your mother's name? A. William Smith.
Q Is he a Cherokee? A. No sir.
Q Who drew your money in 1894? A. Lewis Coker my uncle.
Q How much did he draw in 1894 for you? A. $25 I believe.
Q Did you draw your money during the regular payment or after the payment? A. He drew it when he drew his own.
Q Where did your father die? A. In Arkansas.
Q What was your mothers name? A. Nancy Coker.
Q Is she living? A. No sir.
Q Did she die in Arkansas? A. Yes sir.
Q You lived there until when? A. Until I was 15 years old.
Q Your father and mother never lived in the Cherokee Nation did they? A. My father was raised here.
Q Is your father's name on the 1880 roll? A. No sir he died before then.

Miles C. Smith swore that her name appears on the census roll of 1896 and on the pay roll of 1894, but it cannot be found. It does not appear on the authenticated roll of 1880. Neither do the names of her father or mother appear on that roll. No satisfactory proof is presented as to her citizenship, consequently her application for enrollment is refused.

State of Texas being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereto.

Subscribed and sworn to before me this
the 10th of September 1900.

Commissioner.

R380 3

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Nov 11 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

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Dist. Year Page No. Age

R. 330.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., January 29, 1902.

In the matter of the application of Milam C. Smith to be enrolled as a citizen by blood of the Cherokee Nation.

Upon an examination of the testimony in this case it appears that the applicant avers that she received Cherokee strip payment money, and that the same was drawn by her uncle, Lewis Coker. Said roll has been examined, and the name of Milam C. Smith or Milam C. Coker does not appear of record thereon. In the family with Lewis Coker on the roll of 1904 there appears the name of one Millie Coker in Cooweescoowee District, No. 818; but the said Millie Coker is not definitely identified as the applicant in this case. The name of the applicant does not appear upon any of the other tribal rolls of the Cherokee Nation now in possession of the Commission. Neither does it appear that she was ever admitted to citizenship by the tribal authorities, or the Commission to the Five Civilized Tribes, or the United States Court on appeal.

It is directed that copies of this statement be filed with the testimony in the above case.

Commissioner.

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C. D-722

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 9,1908.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Nilia C. Smith for enrollment as a Cherokee citizen.

Appearances:
Joe M. Lahey, Claremore, I. T., attorney for applicant;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 17,1908, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commissioner at its offices in Muskogee, Indian Territory on the 7th day of March,1908. Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 7th day of March,1908, appears by her attorney, Joe M. Lahey.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record. The attorney for the applicant requests and will be granted 15 days in which to file a brief in the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony andproceedings in this case and that theforegoing is a true and complete transcript of his stenographic notes thereof.

M D Green

R 380

215

Department of the Interior,

Commission to the Five Civilized Tribes.

In the matter of the application of Wilam C. Smith for enrollment as a citizen of the Cherokee Nation.

D E C I S I O N.

It appears from the record in this case that Wilam C. Smith appeared before the Commission to the Five Civilized Tribes on the 14th day of November, 1900, and made application for her enrollment as a citizen by blood of the Cherokee Nation.

It appears from the testimony in this case that the applicant was born in the State of Arkansas, and lived there until she was fifteen years old; she came to the Cherokee Nation in 1893. She claims that she received her share of the Cherokee Strip money, but she is not identified definitely on the roll of 1894. Her name does not appear upon any of the other tribal rolls of the Cherokee Nation. It does not appear that she was ever admitted to citizenship by the tribal authorities or by the Commission to the Five Civilized Tribes or by the United States Court on appeal therefrom. She testified that her father was raised in the Cherokee Nation, but he is not identified on the authenticated tribal roll of 1880. It would seem as if her mother never lived in the Cherokee Nation at all.

The classes of Cherokee citizens entitled to enrollment are described in paragraph 1, section 21, of the Act of Congress approved June 28, 1898, (30 Stats., 495), which is as follows:

"That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of 1880 (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation, whose parents, by reason of their Cherokee blood, have been lawfully admitted

to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendents born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws."

Under the facts in this case the applicant does not come within any of the classes of citizens described in the foregoing act. The application, therefore, for the enrollment of Miles C. Smith, as a citizen by blood of the Cherokee Nation will be denied, and it is so ordered.

Dated at Muskogee, Indian Territory,
this the 21st day of August, 1903.

1902

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DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, June 30th, 1902.

In the matter of the application of Milam C. Smith for the enrollment of herself as a citizen by blood of the Cherokee nation.

Supplemental to D-398.

Appearances:
Joe M. Lahey representing Applicant.
W. W. Hastings representing Cherokee nation.

On the 26th day of April, 1902, the Commission denied the application of Milam C. Smith for enrollment as a citizen by blood of the Cherokee nation and a copy of the record of the proceedings had in said case was forwarded to the Secretary of the Interior for review and final decision. Under date of May 22nd, 1902, this case was remanded by the Department for further examination and the taking of testimony, if necessary.

LEWIS COKER, being duly sworn, testified as follows:—
Examination by the Commission.

Q. What is your name? A. Lewis Coker.
Q. What is your age? A. 52 years.
Q. What is your post office address? A. Nowata.
Q. Are you acquainted with the applicant in this case, Milam C. Smith? A. Yes, sir.
Q. How long have you known her? A. Known her ever since she was a little girl.
Q. What relation do you claim, if any, to the applicant?
A. Niece of mine.
Q. Where was the applicant born? A. Born in Baxter county, Arkansas.
Q. When did she move to the Cherokee nation? A. First came here with her mother in 1884.
Q. How long did she remain? A. Came here in January and remained until September.
Q. When her mother came in 1884 did her mother make application for citizenship? A. I don't think she did.
Q. How long has the applicant's father been dead? A. About 26, as well as I remember.
Q. Had her father ever lived in the Cherokee nation? A. Yes, sir.
Q. When? A. Well, he lived here in 1869 on until 1874 or 5. Something like that he lived here. I don't just remember.
Q. What was her father's name? A. Granville Coker.
Q. What was his citizenship? A. One sixteenth.
Q. Cherokee? A. Yes, sir.
Q. Where was her father born? A. He was born in Arkansas.
Q. During his residence in the Cherokee nation was he recognized as a citizen? A. I suppose he was.
Q. Were you here at that time? A. Yes, sir. My father made application for the family and he was one of the family.
Q. About how old was her father? A. He would be about 60 years old if he lived.
Q. When did he die? A. Died about 1876, I think, as well as I can remember.
Q. Shortly before the birth of the applicant? A. A little bit before, I think.

Q. When the applicant left in 1884 where did she go? A. Went back to Arkansas, Baxter county.
Q. With her mother? A. Yes, sir.
Q. How long did she continue to reside in Baxter county?
A. I don't just remember. Along 1892 or 1893 I think.
Q. Did she come back to the Cherokee nation then? A. They first went up below Fort Smith and then came here.
Q. What do you mean by below Fort Smith, in Arkansas? A. In Arkansas, that is my understanding.
Q. When did she come to the Cherokee nation? A. I think in 1896.
Q. After the strip payment was made? A. Yes, sir.
Q. Where has she been living since 1896? A. Since 1896 she has been living near claremore.
Q. Continuously? A. Yes, sir; I suppose she has.
Q. Do you know whether she was ever recognized as a citizen by the tribal authorities? A. Her name was on the rolls. I had her name put on myself.
Q. Did she draw money in 1894? A. Yes, sir.
Q. Who drew it for her? A. I did.
Q. Under what name did you draw the money? A. I drew the money under the name Marly Coker.
Q. Did you ever have a person in your family named Milly Coker?
A. No, sir.
Q. Did you draw money for any one in 1894 by that name? A. During the strip payment she was put in my family and one of my children was put by itself.

Examination by Mr. Lahay.

Q. This Milly registered with your family is the same Milly Colmer that married Smith? A. Some one, I suppose.
Q. Did you ever draw money for her previous to 1894? A. Yes, sir.
Q. What payment? A. 1891, if I remember right.
Q. What district? A. Cooweescoowee.
Q. Do you know what roll she was on in 1891? A. She was on the orphan roll of Cooweescoowee district.
Q. 1881. A. Yes, sir.

Examination by Mr. Hastings.

Q. Mr. Colmer, did you have her enrolled in 1890 so as to draw that 1891 payment? A. Yes, sir.
Q. Were you living then in Cooweescoowee? A. Yes, sir.
Q. Where did you say she was born? A. I said she was born in Baxter county, Arkansas.
Q. What year, do you remember? A. No, sir; I don't remember.
Q. Was that after her father went back to Arkansas? A. Yes, sir; he didn't marry until after he went back.
Q. After he married her mother she was born? A. Yes, sir.
Q. When did she first come to the Indian Territory? A. 1884.
Q. How long did she remain here then? A. From January until September.
Q. And then she didn't return until 1896? A. I think that was the time she returned, as well as I can remember.
Q. Did her mother ever remarry after her father's death?
A. Yes, sir.
Q. In Arkansas? A. Yes, that is what I have been told.
Q. When did she remarry? A. I couldn't say just what year it was. It was shortly after she went from here in 1884.
Q. This woman was enrolled as a member of your family in 1894 by mistake? A. Yes, sir.
Q. Do you know whether she was enrolled as a member of your family in 1890 and 1891? A. 1891 is what I had reference to. I didn't have her enrolled after that.
Q. And they did it by error? A. Yes, sir.
Q. In other words they got it mixed up with your children?
A. Yes, and one of mine was off by itself.

Q. How long has this woman been married? A. I think she was married about 1898.
Q. Was she married here? A. No, sir; she was married in Arkansas before she came here.
Q. Moved up here after she was married? A. Yes, sir.
Q. Does her mother live in Arkansas now? A. Her mother is dead.
Q. When did she die? A. She died before she ever lived here. I don't remember just what year.
Q. Sometime before 1898? A. Yes, sir.

Examination by the Commission.

Q. Is your name on the 1880 roll, Mr. Colbert? A. Yes, sir.
Q. Have you any brothers or sisters? A. I have some sisters and half brothers.
Q. Are your sisters all on the 1880 roll? A. Yes, sir.
Q. Did your brother, after he came to the Cherokee nation, stay here continuously up until the time he died? A. No, sir; he was backwards and forwards every year mostly until the time he died.
Q. When did you say he came here? A. 1860 first.
Q. How long did he remain? A. I think he stayed until August that same year and went back to Arkansas and then the next fall he came back again and stayed here a year or two.
Q. Along about 1870 or 1872? A. Yes, sir.
Q. Did he go back to the United States again? A. He came back in 1875, I think, the last time he came here. I think it was 1875 and stayed here a little while. I don't just remember when it was. He went away and soon after married and never came back. He died.
Q. He died before he came back to the nation? A. Yes, sir.
Q. Did he come here with the other members of your family?
A. When he first came?
Q. Yes. A. Yes, sir.
Q. How old was he at that time? A. He would be about 17 years old, something like that.

There is offered in evidence by the attorney for the applicant, a letter sent to Lewis Colbert by J. B. Campbell relative to money due the applicant in this case in 1901. Also a letter from John T. Drew, Secretary of the Cherokee nation, relative to the same matter. These are filed and made a part of the record.

REBECCA LATON, being duly sworn, testified as follows:--
Examination by Mr. Lahey.

Q. State your name? A. Rebecca Laton.
Q. What is your age, Mrs. Laton? A. 41.
Q. Where do you reside? A. Claremore.
Q. Are you acquainted with Wilma C. Smith, the applicant?
A. Yes, sir.
Q. How long have you known her? A. Why, I have known her when she came here when she was small and then I never saw her any more until after she was married to Smith.
Q. What relation is she to you? A. My niece.
Q. Do you know who her father was? A. Granvill Colbert.
Q. Do you know whether Granvill Colbert was a recognized Cherokee?
A. I guess he was. He was one of the family when we all enrolled.
Q. I believe you stated Granvill Colbert was your brother? A. Yes, sir.
Q. Your full brother? A. Yes, sir.
Q. How long has Wilma C. Smith been living in the Cherokee nation the last time. A. She came here in about 1898, I think it was. She was married under the Curtis Act, just the same. She was married and she--married in the Cherokee nation I believe it was--and I saw her the next day after she was married.

Q. Has she lived in the Cherokee nation continuously since she came back the last time? A. Yes, sir; never been out of the Cherokee nation.
Q. You don't know anything of your own personal knowledge nor Granvill Coker, do you? A. No, sir. He was married in Arkansas.
Q. Do you know the reason that Granvill Coker left the Cherokee nation the last time? A. No, sir; I don't know just exactly. One thing he couldn't stay at home. I couldn't get along with his step mother. He said if he couldn't get along with her he couldn't stay close to her. He went away and died.
Q. Do you know about how old he was when he left home the last time? A. No, sir: I don't. I was small when he left home the last time. I don't remember just how old he was.
Q. You are a recognized citizens of the Cherokee nation, are you not? A. Yes, sir.
Q. On the 1880 roll? A. Yes, sir.

Examination by Mr. Hastings.

Q. Your brother came here the first time about 1869? A. Why, I don't remember, Mr. Hastings. I was small. Lewis knows more about it than I do. I know we all came together.
Q. You heard his statement with reference to when he came, about the trips made backwards and forwards. Do you think that correct?
A. Yes, sir.
Q. You heard his statement with reference to his marriage?
A. Yes, sir.
Q. About the birth of this girl? A. Yes, sir.
Q. About her mother's remarriage? A. Yes, sir. I got a letter from her mother just after she was married. She told me she was married again.

There is offered in evidence by the attorney for the applicant the last will and testament of D. F. Coker, which reads as follows:--

"Last Will and Testament of D. F. Coker. In the name of God, Amen.

I Dempsey Coker, Cooweescoowee district, Cherokee nation, being of sound mind and memory, considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last will and testament.

That is to say, first, after all my lawful debts and paid and discharged, the residue of my estate, real and personal, I give, bequeath and dispose of as follows, to-wit: It is my request that my wife Elizabeth remain on the place as long as she remains my widow, but in case she marries again for the place to go to my children; and for her and her children to keep and have as their own, two mares and one colt. The white cow called Pink I give to my youngest child Josephine, and her calf to my daughter Martha. The bay filly called Bet and black colt I give to my oldest set of children and that my son Lewis act as their guardian. One red cow and calf to be left on the place for the benefit of the family. One cow and calf at D. L. Denny's I give to my wife Elizabeth. One heifer and I give to my grand child William in Arkansas. One small feather bed I give to my daughter Martha. All stock, hogs, I give to my youngest children, with the exception of those that belong to my daughter Martha. The place known as the Long Grove place I want sold and the proceeds to go for the use of the family. Also the mill I want sold, the proceeds to be used for the benefit of the family. All the farm utensils, tools, harness, gallery, household and kitchen furniture I want to remain on the place for the use and benefit of the family.

Likewise I make, constitute and appoint Dr. R. F. Fortner and J. C. McCoy executors of this my last will and testament, hereby revoking all former wills by me made.

IN WITNESS WHEREOF I have hereunto subscribed my name this 17th day of March, 1881.

D. F. Coker.

Attest:
E. Taylor.
W. T. McCoy.
J. C. McCoy.

Indorsed on the back as follows:
"Recorded in the Clerk's office at Cooweescoowee on this 6th day of April, 1881.

C. C. Lipe,
Clk. Cooweescoowee district."

This document is returned to the attorney for the Applicant.

Examination by Mr. Lahay.

Q. What relation is D. F. Coker to the applicant? A. Grand father

The attorney for the applicant will be granted 30 days from date hereof in which to furnish the commission with evidence as to the marriage of the applicant's parents; also, if possible, for the introduction of further testimony relative to the citizenship of applicant's father.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O Carr

Subscribed and sworn to before me this 15 day of July, 1903.

Notary Public.

File in CO 722

State of Ark
County of Baxter

Affidavit

This is to Certify That Mr Andrew Cooper and Jane Cooper his wife & S. M. Cooper and C. A. Cooper his wife Did on the 17th of March 1876 witness the Marriage of Granville Cooper and Nancy Cooper that married by J. J. Nigel a Justice of the Peace.

Andrew Cooper
Jane Cooper
S M Cooper
C A Cooper

Subscribed and sworn to before me this [illegible] day of [illegible]
J. J. Nigel J.P.

Mr Lahar
Dear Sir we could not get the Marriage Certificate of Granville Cooper and Nancy Cooper they was burnt up about fifteen years ago when the Court House of Marion House was burned Expense of Affidavit is .25 Cts

Andrew Cooper

Cherokee R 280.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, I. T., August 20, 1906.

In the matter of the application of Miles C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation.

Upon an examination of the records of the Commission, it appears that on the 27th day of October, 1900, the applicant was listed for enrollment, as a citizen by blood, on Cherokee roll card, field No. D 722. It further appears that on November 14, 1900, she again made application for enrollment, and was listed as a citizen by blood on Cherokee roll card, field No. R 280.

It is directed that Cherokee roll card, field No. D 722 be cancelled, and that all the papers filed in connection with said case, be made a part of the record in Cherokee R 280.

It appears that the applicant in this case is the daughter of Granville Coker, a Cherokee, and Nancy Coker, a white woman. The applicant's father died prior to the compilation of the Cherokee roll of 1880, and consequently is not identified thereon. It appears, however, that his brother, Lewis C. Coker, his sister, Cynthia J. Calvert (nee Coker), John R. Coker, David M. Coker, Hattie E. Foster (nee Coker), and Rebecca L. Luten (nee Coker), are all identified on the authenticated Cherokee roll of 1880 in Coowescoowee District, Nos. 556, 609, 695, 697, 694 and 694 respectively. It further appears that the applicant's grandmother, Elizabeth E. Coker, the mother of Granville Coker, is only identified on the authenticated roll of 1880 in Coowescoowee District, No. 693.

Commissioner.

Department of the Interior
Commission to the Five Civilized Tribes
FILED
AUG 21 1902

State of Arkansas, }
} ss.
County of Baxter. }

I W. A. Calvert Clerk of the said County, within the State of Arkansas, do hereby certify that about the year of 1890 the Court house of the said County was destroyed by fire, together with all of the marriage records of the said County.

That I am the custodian of the records of Marriages of the said County and have examined said records and fail to find any records back of the year 1890 the records previous to that date having been burned.

In witness whereof I hereunto set my hand and affix the seal of the said County, at Mountain Home the County seat, on this the 16th day of September 1903.

W. A. Calvert

Clerk of Baxter County,

State of Arkansas,.

Fee 50¢

Cherokee R 330

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, IND. TER., SEPT. 30, 1902.

In the matter of the application of Milam C. Smith for enrollment as a citizen of the Cherokee Nation:

SUPPLEMENTAL STATEMENT.

From the evidence now on file in this case and from an examination of the tribal rolls of the Cherokee Nation, it now satisfactorily appears that the applicant is identified as a native Cherokee on the 1890 Cherokee census roll, at page 89, Coowescoowee District, #1333, as Willie Coker; with the following note opposite her name "with Lewis Coker"; and that she is identified as the 1894 Strip payment roll, Coowescoowee District, #918, as Millie Coker.

It is ordered that copies of this statement be filed with and made a part of the record in this case.

C. R. Breckinridge
Commissioner.

Cherokee R-380.

705

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Milam C. Smith for enrollment as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on October 27, 1900, Milam C. Smith appeared before the Commission at Claremore, Indian Territory, and made personal application, under the name of Willis Caroline Smith, for enrollment as a citizen by blood of the Cherokee Nation, and was listed on Cherokee Roll Card Field No. 732; and that he again appeared before the Commission at the same place on November 14, 1900, and made application for enrollment as aforesaid and was then listed on Cherokee Roll Card Field No. R-380. On April 26, 1902 the Commission rendered a decision in the matter of said application of November 14, 1900, and forwarded the same to the Secretary of the Interior for his approval. Said decision was not approved, but on May 28, 1902 the record in the matter of said application was returned to the Commission for further proceedings; and on June 30, 1902 further proceedings in the matter of said application were had at Muskogee, Indian Territory. It was directed by the Commission on August 20, 1902 that Cherokee Roll Card Field No. D-732 be cancelled and that all the papers filed in connection with said case be made a part of the record in Cherokee R-380.

The evidence shows that the applicant is the daughter of Granville Coker, a Cherokee by blood, and Nancy Coker a white woman, who were lawfully married in 1876. The said Granville Coker died prior to the making of the 1880 authenticated roll and is consequently not identified thereon, but he is shown by the testimony to have been a Cherokee by blood and his brothers and sisters are identified as native Cherokees on said 1880 roll.

It appears that the applicant is identified as a native Cherokee on the 1890 Cherokee census roll, as Willis Coker, and on the 1896 Cherokee census roll as Amelia Smith. She is also identified on the 1894 strip payment roll as Willis Coker.

The evidence further shows that the applicant has resided in the Cherokee Nation continuously from 1895 up to and including the date of the application herein.

It is, therefore, the opinion of this Commission that Milam C. Smith should be enrolled as a citizen by blood of the Cherokee Nation, under the provisions of Section twenty-one of the Act of Congress, approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

Date OCT 27 1902

D E P A R T M E N T O F T H E I N T E R I O R.

Commission to the Five Civilized Tribes,

Muskogee I. T. November 12th 1908.

In the matterof the application of Miliam C. Smith for enrollment as a citizen of the Cherokee Nation by blood.

Cherokee R 380.

Protest of the Cherokee Nation.

The testimony in this case shows that the applicant is a daughter of Granville Coker; that Granville Coker came to the Cherokee Nation about the year 1869, claimed to be a Cherokee by blood but there is no evidence whatever that he was ever readmitted or recognized as a citizen by blood of the Cherokee Nation; that he remained here until 1893 or 1894 and returnedto the state of Arkansas where he afterwards married; where the applicant was born and where the applicant continued to reside all of her life until the year of 1895 when she first came to the Cherokee Nation.

The testimony further shows that she was married in the state of Arkansas about one year before she came to the Cherokee Nation and that she was never admitted or readmitted to citizenship in the Cherokee Nation It was true that her name was illegally placed upon the pay roll of 1880 as well as the pay roll of 1894; Lewis Coker stating in his testimony that he had her name placed upon the 1880 pay roll but that he does not know how her name came upon the 1894 pay roll but the evidence is quite clear that when both of these rolls was made that she was a resident of the state of Arkansas and not of the Cherokee Nation.

After her fathers death which was about the date of applicants birth her mother remarried in the state of Arkansas to a white man and continued to live there and in fact she never lived in the Cherokee Nation or made any pretense that the Cherokee Nation was her home or that she was a citizen of the Cherokee Nation and hence after the death of her father the applicants residence was that of her mother and her citizenship followed her mother, which was that of Arkansas.

It will be further noted that there is some testimony tending to show that Granville Cokers father of family was readmitted to citizenship there

the year 1869 but your attention is most particularly invited to the fact that they do not file a copy of this act of readmission although the same could be gotten and the burden of proof being upon the applicant and she being represented by counsel the presumption must be that the name of Granville Coker was not included in the list of those readmitted as claimed by the witnesses at that time. but if Granville Coker was ever admitted he clearly lost his rights by removing to, marrying and residing in the state of Arkansas of which state he was a citizen at the time of his death.

But the testimony shows that applicant was born a short time after her fathers death where she continued to reside until one year after her marriage except that she visited in the indian territory about six months one time. Clearly shewas not entitled to be enrolled in 1890and unquestionably she was illegally placed upon the 1894 pay roll. We can not see upon what theory the Commission enrolled the applicant. It is true the Commission says Granville Coker died prior to the making of the 1880 roll and it is true there is testimony showing that he was a Cherokee by blood but we deny that there is any convincing testimony whatever that he was ever a recognized Cherokee citizen.

If a person can be born in the state of Arkansasreside there for more than twenty years, marry there, and still retain a supposed right transmitted through her father who died prior to her birth then the applicant is entitled to be enrolled but we contend that if Granville Coker was ever a citizen of the Cherokee nation that under section two article one of the Constitution of the Cherokee Nation he lost his rights in the Cherokee Nation by removing with his effects out of the limits of the Cherokee Nation and becoming a citizen of the State of Arkansas. To sustain the decision of the Commission in this case would indeed be a most calamitous precedent, it would open the doors to readmission to citizenship in all cases where people have applied. This applicant might have applied to the Commission under the act of June 10, 1896 where the Commission had jurisdiction to pass upon the applicantsCherokee blood and her right to be readmitted as a citizen of the Cherokee Nation but clearly Congress never intended that the Commission under the act of June 28th 1898 could do anything else other than to make a roll of the recognized citizens of the Cherokee Nation. The testimony in this case shows

that the name of the applicant was put upon the roll of 1890 and the pay roll of 1894 by Lewis Coker as a member of his family and the presumption is that it was thought that she was one of his children. At least there is no note upon the roll to in icate that the Council thought otherwise but even if her name does appear there, could she have been legally enrolled while a resident of the st te of Arkansas when she had never been r eadmitted to citizenship in the Cherokee Nation by the National Council as a tribunal having jurisdiction.

We most earnestly contend that under the law this applicant is not entitled to be enrolled as a citizen of the Cherokee Nation and we most earnestly request that all of the facts in this case be most carefully reviewed by the Honorable Secretary of the Interior before this decision is affirmed because if this decision is affirmed we submit that the Cherokee Nation sees little use in taking appeals from the decisions of the Commission or registering any protests against its decisions.

We attach to this protest a certificate from the Executive Department of the Cherokee Nation which shows that Granville Coker , father of applicant was not readmitted to citizenship in the Cherokee Nation.

Respectfully submitted,

W. W Hastings Jr.

J. C. S. Attorney for the Cherokee Nation.

Coody's Bluff Ind Ty
May 18. 1891

Hon. Robt. B. Ross.
Treasurer C N.
Tahlequah Ind Ty.

Dr Sir.

My family's money at my request was drawn for me by J Blanchard. He brought me 7 shares. but failed to the name of my niece Mila Cater perhaps it is spelled Miley. I gave in her name at the time I enrolled my family. She is an Orphan Child. having neither Father nor Mother living. It may be that the name appears on the roll and that it was overlooked at the payment. If not enrolled will you please have her name put on the roll or let me with those whose names are omitted. If her name is on the roll please inform me and I will have a guardian appointed, at once.

An early reply will oblige

Yours truly

Lewis Coker.
per J Blanchard

Dear Sir

I am informed that Miss Cutler
is engaged as the Official Stenographer
Commissioner Wright. She is very well
known Cutler and Dr Arnold in the
Pension Office and in the Interior
Dept. Have you decided upon
and Stenographer yet?

Yours truly

FILED
JUN 30 1902
COMMISSION TO THE PACIFIC EXPOSITION
DEPARTMENT OF THE INTERIOR

Dear Sir

I the name of Phillis Carter
is Disallowed on the Original Roll of
Commissioner Dick. She is living with
Lewis Carter and Produced to the
Society Certificate in the Cherokee
Nation Showing Enrollment
and Payment in Journey

Very Respectfully
Your Obedient Servant

JUN 30 1902
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 17, 1902.

Mrs. Nilia C. Smith,

Claremore, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-722
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

COPY

Cherokee 3-269

Muskogee, Indian Territory, April 26, 1902.

Mrs. Milam C. Smith,

Claremore, Indian Territory,

Madam:

Enclosed herewith please find copy of the Commissioner's decision rendered April 26, 1902, in the matter of your application for the enrollment of yourself as a citizen of the Cherokee Nation.

The Commission has on this day forwarded a copy of its decision, together with a copy of the record of the proceedings had in the matter of your application, to the Secretary of the Interior for his consideration and final decision.

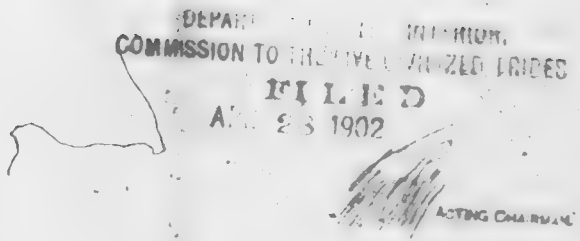
The Secretary's final action will be duly communicated to you so soon as the same is made known to this Commission.

Very respectfully,

T. B. Needles.

Comm. Commissioner in Charge.

Encl. B-47.
Register.


DEPART INTERIOR,
COMMISSION TO
FILED
AUG 23 1902
ACTING CHAIRMAN

Cherokee D-388

COPY.

Muskogee, Indian Territory, April 24, 1908.

W. W. Hastings, Esq.,
Atty. for Cherokee Nation,
Muskogee, Indian Territory.

Sir:

Enclosed herewith find copy of Commission's decision of date April 24, 1908, in the matter of the application of Miles S. Smith for the enrollment of herself as a citizen of the Cherokee Nation.

Very respectfully,

T.B. Needles.
Commissioner in Charge.

Encl. D-38.

DEPA
COMMISSION TO
[illegible]
AUG 2 1900

ACTING CHAIRMAN

COPY. Cherokee R-380.

Muskogee, Indian Territory, April 26, 1902.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record and proceedings had in the matter of the application for the enrollment of Mrs. Milam C. Smith as a citizen of the Cherokee Nation, including the decision of the Commission dated April 26, 1902, refusing the application for the enrollment of the said Mrs. Milam C. Smith as a citizen of the Cherokee Nation.

Very respectfully,

SIGNED T. B. Needles.
Commissioner in Charge.

1 Encl. No. R-380.

[illegible]

COMMISSION TU[illegible]

FILED

AUG 23 1932

[illegible]
ACTING CHAIRMAN

Refer in reply to
the following:
Land.
25,920-1902.

(Copy)

Department of the Interior,
Office of Indian Affairs,
Washington, May 10, 1902.

The Honorable
The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a report made on April 26, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Milam C. Smith, for enrollment as a Cherokee citizen by blood.

The commission denied her application on April 26, 1902.

The applicant testified that she is 22 years of age and a recognized citizen of the Cherokee Nation; that her mother's name was Granville Coker and her mother's name Nancy Coker, and that she is married to William Smith who is not a Cherokee Indian

She states that her father lived in the Cherokee Nation all his life but that his name does not appear on the 1880 authenticated roll because he died prior to the time the roll was made; that she lived in the State of Arkansas until she was 15 years of age and has lived in the Cherokee Nation for about five years last past, and that she drew $265 in 1894 and that her name was on the 1894 and 1896 rolls.

She further stated that she could prove her citizenship by her grandmother and an uncle.

The record contains a statement made by Commissioner

Needles to the effect that the name of Milam Crane or Milam Coker does not appear on the Cherokee Strip payment roll of 1894, but that there is on that roll the name of Millie Coker, Coowescoowee district, No. 918, but that Millie Coker is not definitely identified as the applicant in this case; that the name of the applicant does not appear on any of the tribal rolls of the Cherokee Nation in the possession of the commission, and that it does not appear that she was ever admitted to citizenship by the tribal authorities, the Commission to the Five Civilized Tribes, or by the United States court on appeal.

The office is not entirely satisfied with this case. If Milam Crane is the daughter of a Cherokee citizen who died prior to the making of the 1880 roll it is possible that she should be enrolled as a Cherokee citizen.

The record does not show that any roll prior to 1880 has been examined for the name of her father, Granville Coker, or for the name of her mother, Nancy Coker, and no questions were asked of either her grandmother or her uncle whom she mentions in her testimony, and it does not appear that any effort was made to show whether or not she is the same person as Millie Coker whose name appears on the 1894 pay roll.

It is therefore respectfully recommended that this case be returned to the commission with the suggestion that a further examination be made along the lines above indicated.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

(W. C. T.)

P.

D. C. No. 8698-1902. J. P.

L. R. S. 30516 WHR.

I. T. D. 3066-1902. DEPARTMENT OF THE INTERIOR.

Washington, May 22, 1902.

The Commission

to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 12, 1902, the Acting Commissioner of Indian Affairs transmitted the record in the case of Wilam . Smith, applicant for enrollment as a Cherokee citizen.

The application was rejected by you on April 24, 1902, and in your decision you referred to Section 21 of the Act of June 28, 1898 (30 Stats., 495), in regard to the enrollment of Cherokee citizens.

It appears that the applicant is twenty-one years of age; that her father's name was Granville Coker, and her mother's name Nancy Coker, and that she is married to William Smith, who is not a Cherokee; that her father lived in the Cherokee Nation all his life but his name does not appear upon the 1880 authenticated roll because he died prior to that time; that she lived in the State of Arkansas until she she was fifteen years of age and has lived in the Cherokee Nation for about five years last past, and she claims that her name was on the 1894 and 1896 Cherokee rolls.

It appears that the name of Wilam Crane or Wilam Coker does not appear on the Cherokee strip roll of 1894, but there is on

that roll the name of Millie Coker.

You state that Millie Coker is not definitely identified as the applicant in this case; that the name of the applicant does not appear upon any of the tribal rolls of the Cherokee Nation, and that she was never duly admitted to citizenship in the Cherokee Nation.

The Acting Commissioner submitting the case May 12, states that he is not satisfied with this case; that if Milam Crane is the daughter of a Cherokee citizen who died prior to the time of the making of the 1880 roll, it is possible that she should be enrolled as a Cherokee citizen; that the record does not show that any roll prior to the 1880 roll has been examined for the name of her father, Granville Coker, or for the name of her mother, Nancy Coker, and no questions were asked of either her grandmother or her uncle, whom she mentions in her testimony, and it does not appear that any effort was made to show whether she is the same person as Millie Coker, whose name appears on the 1894 pay roll, and he recommends that the case be returned to you with the suggestion that a further examination be made along the lines indicated by him.

The Department concurs in this recommendation, and the record, together with a copy of the Acting Commissioner's report, are returned herewith in order that further examination may be made and testimony taken if necessary.

Respectfully,

Thos Ryan

Acting Secretary.

2 Inclosures.

Cherokee-Be 722

Muskogee, Indian Territory, June 18, 1902.

Mrs. Milia C. Smith,

Claremore, Indian Territory.

Madam:

In the matter of your application for enrollment as a citizen by blood of the Cherokee Nation, you are required to produce evidence to the Commission that your alleged father, Granville Coker, was a recognized citizen of the Cherokee Nation at the time he removed to the state of Arkansas in 1875.

You are also required to produce evidence to the Commission of the marriage of your parents, and evidence identifying you as the child of your alleged father, Granville Coker.

You will be allowed until July 8, 1902, to comply with these requirements.

Yours truly,

Commissioner in Charge.

Register.

Chap. Duffie.

Muskogee, Indian Territory, June 14, 1902.

Joe M. Leahy, Esq.,
Attorney at Law,
Claremore, Indian Territory.

Dear Sir:

In the matter of the application of Willie G. Smith for enrollment as a citizen by blood of the Cherokee Nation, there you represent before the Commission, you are advised that the Department has requested the Commission to procure further evidence as to the citizenship of the parents of the said Willie G. Smith, and that under date of June 12, 1902, a letter was addressed to Mrs. Smith requesting her to produce evidence before the Commission that her alleged father, Somerville Odom, was a recognized citizen of the Cherokee Nation at the time he removed to the State of Arkansas in 1871. She was also requested to produce evidence before the Commission as to the marriage of her parents. She was advised that she would be allowed until July 5, 1902, to comply with these requirements.

You are requested to have Mrs. Smith appear before the Commission with the necessary evidence on or before July 5, 1902.

Yours truly,

Inspector. Commissioner to Dawes.

COPY.

Cherokee R - 380.

Muskogee, Indian Territory, October 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, granting the application of Milam C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

C. R. Breckinridge,
Acting Chairman.

Enclosure C. No. 7.

Copy.

Cherokee R 380.

Muskogee, Indian Territory, November 22, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated October 27, 1902, granting the application of Milam C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation, a copy of which decision was furnished you on October 30, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY.

Cherokee R 380.

Muskogee, Indian Territory, November 22, 1902.

Miles C. Smith,

Claremore, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation. There has heretofore been furnished your attorney, J. M. LaMay, Claremore, Indian Territory, a copy of the record of proceedings had in the original application and there has this day been forwarded to him a copy of the record of supplementary proceedings, together with a copy of the Commission's decision.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

Copy

-2-

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Frank Libby

Acting Chairman.

Register.

Enclosure H. No. 72.

Cherokee R 380.

Muskogee, Indian Territory, November 22, 1902.

J. M. LaMay,

Attorney for Milam C. Smith,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of supplementary proceedings had in the matter of the application of Milam C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated October 27, 1902, granting said application. You have heretofore been furnished with a copy of the record of proceedings had in the original application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicatn by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

Copy.

-2-

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Register.

Enclosure H. No. 73.

Cherokee R 290.

Muskogee, Indian Territory, November 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Wilson C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated October 27, 1902, rejecting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

[illegible] by

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enclosure H, No. 74.

(Copy)

Refer in reply
to the following:
Land
70811--1902.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, Dec. 23, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes dated November 22, 1902, forwarding for the Department's consideration the record relative to the application of Ellen C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation.

October 27, 1902, the Commission held that the applicant is entitled to enrollment.

May 12th last the then record in this case was forwarded to the Department. The Commission in its first decision, that of April 24, 1902, denied the applicant enrollment. The office could not recommend the approval of the Commission's decision and recommended that the case be returned to the Commission with suggestion that a further examination be made along the line indicated by the report. May 22, 1902 (I. T. D. 2966), the Department returned the record in the case and concurred in the recommendation of this office.

The record in this case shows that the applicant is the daughter of Granville Coker, a Cherokee by blood, and Nancy Coker, a white woman, who were legally married in 1876; that Granville Coker died prior to the time the Cherokee roll of 1880 was made and consequently his name does not appear thereon. The record shows, however, that he was a Cherokee by blood; that his sisters and brothers are identified on the 1880 roll as native Cherokees; that the applicant is identified on the Cherokee census roll of 1890 under the name of Willie Coker as a native Cherokee; that her name appears on the 1894 strip payment roll as Millie Coker; and that she is identified on the 1896 census roll under the name of Amelia Smith. The evidence further shows that the applicant has resided continuously in the Cherokee Nation from 1895 up to and including the date of the Commission's decision.

The Cherokee Nation protests against the enrollment of the applicant.

The office has carefully examined the record in this case and has thoroughly considered the protest of the Cherokee Nation. It believes from the record that the applicant is entitled to enrollment and therefore respectfully recommends that the decision of the Commission be approved.

For the purpose of correcting the Commission's report in accordance with its decision attention is invited to the fact that in the Acting Chairman's report transmitting the case it is stated that the application was rejected by the Commission on October 27, 1932, while the decision itself shows on above stated that the Commission held she was entitled to enrollment.

Very respectfully,

W.A. Jones,
Commissioner.

(S.A.M.) E.

D.C. 2568 W.C.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

8032-1902

Ind. Ter. Div.

January 24, 1903.

W.O.D.

The Commission to the
Five Civilized Tribes,
Muskogee, Indian Ter.,

Sirs:

The Department has considered the case involving the application of Milam C. Smith for enrollment as citizen by blood of the Cherokee nation, transmitted with your letter of November 22, 1902.

By your decision of April 26, 1902, this application was denied. The Commissioner of Indian Affairs transmitting ther record in the case May 10, 1902, suggested that a further investigation ought to be had, and the Department concurring in the view of the Indian Office, by letter of May 22, 1902, returned the case for your further investigation and consideration. Further testimony was heard by you and on October 27, 1902, you rendered a decision holding that the applicant should be enrolled as a citizen by blood of the Cherokee Nation. The Commissioner of Indian Affairs transmitted the

record in the case with his letter of November 23, 1902, in which he said: "The office has carefully examined the record in this case and has thoroughly considered the protest of the Cherokee Nation. It believes from the record that the applicant is entitled to enrollment and therefore respectfully recommends that the decision of the Commissioner be approved." In your decision you set forth the facts in the case as follows:

> The evidence shows that the applicant is the daughter of Granville Coker, a Cherokee by blood, and Nancy Coker a white woman, who were lawfully married in 1876. The said Granville Coker died prior to the making of the 1880 authenticated roll and is consequently not identified thereon, but he is shows by the testimony to have been a Cherokee by blood and his brothers and sisters are identified as native Cherokees on said 1880 roll.
>
> It appears that the applicant is identified as a Native Cherokee on the 1890 Cherokee census roll, as Willia Coker, and on the 1896 Cherokee census roll as Amelia Smith. She is also identified on the 1894 strip payment roll as Millie Coker.
>
> The evidence further shows that the applicant has resided in the Cherokee Nation continuously from 1895 up to and including the date of the application herein.

The evidence further shows that Granville Coker, the father of the applicant, removed from Arkansas to the Indian Territory in 1869, when about fifteen years of age, and that upon the application of his father the family was recognized as Cherokee citizens by blood. Granville Coker does not seem to have remained continuously in the Cherokee country, but, as one of the witnesses expresses it, "was back and forwards every year mostly until the time he died." He went from the

Cherokee country to Arkansas about the year 1875, was married there in 1876 and died in 1877. His child, the present applicant, was born shortly after her father's death. She lived with her mother in Arkansas until she married in 1895, when she and her husband removed to the Cherokee country where they have since continuously resided.

It is urged on behalf of the Cherokee Nation that even if the father was ever recognized as a citizen, he forfeited all his rights as such by removing from the Cherokee country and becoming a citizen of the State of Arkansas.

There is nothing in the testimony presented to show that Granville Coker ever exercised or claimed any rights as a citizen of Arkansas. The mere fact that he was absent from the Cherokee country for a space of possibly two years immediately prior to his death is not sufficient to justify the conclusion that he had abjured his Cherokee citizenship. The daughter's name appears upon the Cherokee rolls of 1880, 1894 and 1896, and she joined her father's people as soon as she arrived at years of discretion.

The Department finds your decision correct and it is hereby affirmed.

Very respectfully,

(signed) Thos Ryan

Acting Secretary.

COPY

Cherokee 1x300

Muskogee, Indian Territory, February 14, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated October 27, 1902, granting the application of Ellen C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 24, 1903.

Respectfully,

Tams Bixby,

Acting Chairman.

COPY.

Cherokee R-380

Muskogee, Indian Territory, February 14, 1903.

Joe M. LaHay,

Attorney for Milam C. Smith,

Claremore, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated October 27, 1902, granting the application of Milam C. Smith for the enrollment of herself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 24, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

COPY.

Cherokee R-380

Muskogee, Indian Territory, February 14, 1903.

Milam C. Smith,

Claremore, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated October 27, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on January 24, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

Cher 10096

Eddie Wheatley

Trans. from D213

Cher 10096

Q
Q
Q

Eddie Cooper #2

Counsel for the [illegible]: This applicant is a [illegible] Decree of the United States Court citizenship [illegible] admitted to citizenship [illegible] not of Comanche [illegible] question xxx [illegible] Comanche Nation, quired to [illegible] acquired under the allotment, therefore, [illegible] for further action will be reported [illegible] address. [illegible] will be given [illegible] Secretary of the Interior; and the Secretary's [illegible] will be final.

[illegible] as stenographer to the [illegible] correctly recorded the testimony [illegible] and that the foregoing is a true [illegible] not a transcript.

M D Lee

Subscribed [illegible]

[illegible]

[illegible] sworn

a-

DEPARTMENT OF
COMMISSION
FILED
SEP

DEPARTMENT OF THE INTERIOR
DOCUMENTS TO THE FIVE CIVILIZED TRIBES
FILED
AUG 28 1908

Cruel Nation

CHEROKEES BY BLOOD AND ADOPTION.

Date August 2nd 1909.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Eddie Foster

District Year Page No.

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
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Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

D. 213.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 20, 1902.

In the matter of the application of Eddie Cooper for the enrollment of himself as a citizen of the Cherokee Nation.

Represented by Jesse Hill, Muskogee, I. T.

The applicant was notified by registered letter February 4, 1902, that his case would be taken up for final consideration by the Commission on the 20th instant, and that he could on said date appear either in person or by attorney and introduce any additional testimony affecting this case. The applicant and his attorney have been called three times and fail to respond either in person or by attorney, and the case is closed. The Cherokee Nation requests ten days from time in which to file a brief touching the jurisdiction of the United States Court for the Southern District of the Indian Territory to admit persons to citizenship in the Cherokee Nation upon appeal from the Commission. The representatives of the Nation will be given ten days in which to file a brief in this case, and copy with the Commission and a copy with the attorney for the applicant.

Commissioner.

Cher[redacted]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Eddi[redacted]
Cooper, now Eddie Wheatley, and Claude E. Wheatley as citi[redacted]
by blood of the Cherokee Nation.

D E C I S I O N .

[redacted]

From the records, in connection with others, filed her[redacted]
petition under the Act of Congress, June 10, 1896, (29 Stats., [redacted]
with the Commission to the Five Civilized Tribes for admission a[redacted]
citizen by blood of the Cherokee Nation, which was denied by the
Commission, and an appeal was taken therefrom to the United Stat[redacted]
Court in the Indian Territory for the Southern District, wherein
judgment of the Commission denying the application, among others
Eddie Cooper was reversed on December 21, 1897, and judgment
rendered admitting, among others, Eddie Cooper to citizenship in
the Cherokee Nation.

The evidence shows that Eddie Cooper married on January 16,
1901, one John H. Wheatley, a white man. As a result of that
marriage Claude E. Wheatley was born. Eddie Wheatley, formerly
Cooper, is not identified on any of the rolls of the Cherokee Na[redacted]
in the possession of the Commission. The minor son, Claude E.
Wheatley, is identified by a certificate of birth filed herewith.

The evidence further shows that Eddie Wheatley, formerly
Cooper, has resided in the Indian Territory continuously since h[redacted]
admission by the Court hereinbefore shown up to and including th[redacted]
date of this application. The residence of her minor child [redacted]w
[redacted] to have been continuous in [redacted]
[redacted] date of this applic[redacted]

[redacted]
blood [redacted]
Section twenty one of [redacted]
(30 Stats., 496), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at [redacted], Indian Territory,

[redacted]

[redacted]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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by blood of the Cherokee Nation.

D E C I S I O N.

[redacted]

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[redacted]

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(30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

[redacted]

D E P A R T M E N T O F T H E I N T E R I O R.

Commission to the Five Civilized Tribes.
Muskogee I. T. December 2nd 1902.

Cherokee D #213.

In the matter of the application of Eddie Wheatley et al for enrollment as citizens of the Cherokee Nation by blood.

PROTEST OF THE CHEROKEE NATION.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission rendered in this case on November 20th 1902 and respectfully asks that the same be forwarded to the Honorable Secretary of the Interior for review.

This applicant was admitted by the United States Court for the Southern District of the Indian territory upon appeal from the Decision of the Commission in 1897.

The first proposition we will consider is the jurisdiction of the United states Court in the Southern District ti hear and determine this case.

The act which gave this commission power to hear citizenship cases xx contained the following provision in regard to appeals:

"That if the tribe or any person be aggrieved with the decision of xx the tribal authorities or the commission provided in this act, it or he may appeal from such decision to the United States District Court."

Technically there was no such court in the Indian Territory as a District Court, and as the United States District for the Western District of Arkansas was the nearest District Court some good lawyers thought the provision applied to that court, and some appeals were actually taken there. A review of the other laws existing at that time in this jurisdiction made it plain what Congress intended , and that was that the appeals should be prosecuted before the United States Judges in the District in which the cause of action arose, and xx particularly in which the Nation was situated. The act above referred to provided for the appointment of three judges and also provided as follows as to their powers:

"The judges shall have within the judicial districts for which they are appointed all such authority, both in term time and vacation, as to all matters and causes both criminal and civil pending or that may be brought in said Districts."

It is plain therefore that the judge had power only in his district to entertain such matters as were either lawfully pending or lawfully brought in their respective districts. To sustain this proposition we call attention to the decision of Chief Justice Fuller in the case of

Stephens Vs the Cherokee Nation, 174 U. S. 446, in which he construes this portion of the act, so we contend, as follows:

"The act (Referring to the Curtis Bill, which contains the same provisions as the act of 1898) gave jurisdiction to the United States Courts in the Indian Territory in their respective districts to try cases against those who claim to hold lands etc."

Section 7 of the act of 1895 which gives the jurisdiction in regard to suits in the respective districts has the following provision:

"All civil suits shall be brought in the District in which the defendant or defendants reside or may be found."

Undoubtedly then Congress intended no change in the systems of law or the jurisdiction of the several Districtxx Judges in allowing appeals in xx an act passed a little more than a year thereafter. And again co-temporaneous construction of acts of Congress by all parties concerned is always weighty argument in determining how the court should hold. The Nations and litigants alike in these cases, with the exception of three cases from the Cherokee Nation, all took their appeals to the District Court in that Dis-

trict in which the Nation was situated. This was certainly the Natural Course, because Congress did not presume that a man would be applying for citizenship in a Nation nor claim to be a citizen of a Nation in which he himself did not reside. And therefore the presumption was that the applicant for citizenship was a resident of his own Nation, and that they would both be in the same district, and therefore where the plaintiff or defendant under the law would have to prosecute their appeals in the same district. There was no waiver of this jurisdictional fact, even if it could be waived, and the Nation can now attack it as well as at any other time.. The Judgment of the Commission to the Five Civilized Tribes was just and valid. Its reversal was xxx by a court without jurisdiction and the judgment of that court is in the teeth of the recognized law governing such cases, and is a fraud upon the nation against which it was rendered. And this Commission is given plenary power in other acts passed by Congress touching its powers to protect the Nation against fraud. If, however such a judgment was good it was set aside by the Curtis bill, which provides that they should not enroll any citizen who had notpreviously removed to and in good faith settled in the Nation in which he applies to be enrolled.. This would not be necessarily setting aside the judgment of another court. A man who acquired citizenship by the courts judgment certainly had no higher rights of citizenship than a man who acquired it by his birth, and yet the act of 1898 gives full power to the Commission to refuse to enroll a man who though born in the Cherokee Nation, had effectually removed therefrom, and attempted to be enrolled by returning after the specified time. It was similar to an act passed on December 4th 1894, by the Nation itself, which provided that those people who had hitherto been admitted to citizenship lawfully by the act of its Council would be deprived of such citizenship unless they returned to the Nation within six months after the passage of the act. But suppose for the sake of argument we should say that the Curtis bill under this view was interferring with the judgment of the United States Court for the Southern District that was valid. Still these parties can not be enrolled. Because Congress unlike the States can pass no kind of retroactive laws which do not have the effect of divesting vested rights.The Supreme Court in the Stephens case decided that the citizenship judgments carried with them no property rights, and that the citizenship judgments were not judgments carrying

with them any property rights or vested rights. We find the following in that decision with reference to the contention at that time pressed by counsel touching this matter:

"The mere expectation of a share in the public lands and moneys of an these tribes if hereafter distributed, if the applicant were admitted to citizenship, can not be held to amount to such an absolute right of property that the original cause of action, which is citizenship or not, is placed by the judgment of a lower court beyond the power of reexamination by the higher court, though subsequently authorized by general law to exercise jurisdiction."

That decision decided that the lands and money of the nation were public lands and public moneys and that the assertion by the applicant that his right therein was so vested as to preclude inquiry into his citizenship involved a contradiction in terms. In 1896 in an inquisition by a jury condemning certain railway lands for the railway company was ratified and confirmed by a court of competent jurisdiction. Five years afterward the legislature of the state passed an act directing the court to set aside the inquisition and cause a new one to be made, which the court accordingly did. The case was taken to the Supreme Court of the United States. The railroad contending that the act was unconstitutional and void. The supreme court however, in the case

Railway Company Vs Ruggles, 30 How ., 300, held the act to be valid and said:

"This intervention, too, was the exercise of power by the legislature supposed by that body to belong legitimately to itself; whether this authority was strictly legislative or judicial according to the distribution of power in the state government was a question rather for that government than for this court to determine."

In Freeborn Vs Smith, 2 Wall., 160, a case where Congress had allowed an appeal where the judgment would have otherwise been final the court used this language:

"For the judgment below was erroneous the plaintiff in error had the moral right at least to have it set aside and the defendant is only claiming a vested right in a wrong judgment."

Upon this point of a wrong judgment and a vested right we quote the following language of Mr Justice Miller in

Rowland Vs Williams, 132 U. S.., 496.

"Many other cases might be cited in which it was held that retrospective laws declaring them void of a criminal character though affecting the rights of parties in existence are not forbidden by the Constitution of the United States."

Now applying these decisions it is apparent that the parties here in had no vested right in the judgment of the United States Court for the

Southern District of the Indian territory, even if the court rendering the judgment was within its jurisdiction. That supposed right in the judgment can not be bought sold or assigned; none of its rights have arisen upon a contract, or a transaction in the nature of a contract; no property or contractual rights have completely or definitely accrued to or settled in these applicants. The judgment is not a right of action and is not a right in property; and in as much as said judgment was an error in fact and law the parties can have no vested right in such an error.

We think therefore we have established two propositions, first that the appeal was wrongfully taken, and that therefore the original judgment of the Commission is the only valid judgment in the case. Second that if this is not true that Congress had the right to pass a law restricting the effect of that judgment after it was rendered..

In the case of Roff Vs Burney, 168 U S 218, the court decided that the citizenship which the Nation could confer it could withdraw and it most certainly must be true that the great government of the United States can withdraw any such rights and privileges which it by its laws had once conferred.

This leaves us, therefore, to the proper construction of section 21 of the act of June 28th 1898, in which occurs this language:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

A mans citizenship is always where his domicile is. Domicile does not necessarily mean the place where a man actually resides; b.t it is the place where in fact and in law is his home. No man can have a domicile in any state or community in which he was not born, and in which his parents were not born, and in which neither his parents or himself ever resided. That proposition is too plain for further argument. We do not maintain that the fact that a citizen of the Cherokee nation may be residing temporarily with his family in some other of the Five Civilized Tribes for feits his citizenship, where he has at one time had citizenship and a residence in the Nation, and certainly not where, though absent, he has owned property in the nation and continues to own it and keeps in touch with its affairs, because he constructively resides in the Cherokee nation

and in fact and in law resides there. In other words under the laws of the nations and states he would be entitled to vote there. Does any one contend that a man whose parents were never connected with the Cherokee Nation as at present constituted, who was born of these parents in a distant state and lived in that state until his majority and he afterwards removed to the Chickasaw nation would be entitled to a vote in the Cherokee nation? Did these people establish any such residence in the Cherokee Nation or domicile of any kind prior to June 28 1898? If not that act prevents their enrollment. And in as much as these are uncontroverted facts the Commission can not enroll them.

The Second proposition which we shall discuss is the present residence of the applicant which is shown to be in the Creek nation and not in the Cherokee Nation. Now then the act herein above just quoted provides that no person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship And the first definition in the recent agreement submitted by Congress by an act approved July 1st 1902 and ratified by the Cherokee people August 7th 1902 defines the word "Nation" to be the "Cherokee Nation" hence the representative of the Cherokee Nation is at a loss to know how the Commission can possibly interpret the word nation as used in Section 21 of the Curtis bill to mean the " Territory of the Five Civilized Tribes" or the "Territory of the ~~Cherokee~~ Five Civilized Tribes" to be the Cherokee nation. What the Cherokee nation would like to have is a flat footed decision by the Department upon the question as to whether the word Nation means the Cherokee nation or whether it means the Indian territory and if it means the Indian territory what shall be do with the definition contained in the recent Cherokee Agreement hereinabove referred to?

For the two reasons namely that the United States Court for the Southern District of the Indian Territory had no jurisdiction over the case of this applicant upon appeal from the Commission to the Five Civilized Tribes and furthermore had no right to admit the applicant and for the second reason that residence in the creek nation is not regarded by the Representative of the Cherokee nation as residence in the Cherokee Nation as is required by section 21 of the Curtis bill. The Cherokee Nation respectfully submits that the Commissions decision in this case should be reversed. Respectfully submitted,

Attorney Cherokee nation.

10096

FILED
JUL 18 1903

Applications Nos. [illegible] DUPLICATE.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
CHEROKEE ENROLLMENT OFFICE.

Tahlequah I. T., May 18, 1903. A. D. 190....

To the Clerk in charge of the Cherokee Land Office:

You are hereby notified that the names of the following persons

Roll Number.	Card Number.	NAME	Relationship to person First Named	Age
[illegible]	[illegible]	Nellie Wheatley		24
[illegible]	[illegible]	Claude E. Wheatley	Son	2

All appear upon the records of the Commission to the Five Civilized Tribes as citizens of the Cherokee Nation.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

[signature]
Chairman.

[signature]
Clerk in Charge.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

RECEIVED
MAY 20 1921
FIELD NO. 3332

WASHINGTON, May 20, 1921.

I, E. B. Meritt, Assistant Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true copy of the original as the same appears on file in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed on the day and year first above written.

E. B. Meritt

Assistant Commissioner.

Cherokee D.215.

Muskogee, Indian Territory, February 20, 1902.

Jesse Hill, Esq.,
Attorney at Law,
Muskogee, Indian Territory.

Sir:-

You are hereby advised that the application of Eddie Cooper for the enrollment of himself as a citizen of the Cherokee Nation was taken up for final consideration by this Commission on the 20th instant, and that the attorneys for the Cherokee Nation present were granted ten days in which to file a brief in this application, one copy with the Commission and one copy with the applicant.

If you also desire to file a brief you will be given ten days from the date hereof in which to do so.

Very respectfully,

Commissioner in Charge.

COPY.

Cherokee B 215.

Muskogee, Indian Territory, November 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting the application of Eddie Cooper, now Eddie Wheatley, for the enrollment of herself and her minor child, Claude M. Wheatley, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enclosure H. No. 215.

Cherokee D 213.

Muskogee, Indian Territory, December 5, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision granting the application of Eddie Wheatley for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, a copy of which decision was furnished you on November 26, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Acting Chairman.

Cherokee D 215.

Muskogee, Indian Territory, December 5, 1902.

Jesse Hill,

Attorney for Eddie Wheatley et al,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting the application of Eddie Wheatley for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation. You have heretofore been furnished with a copy of the record of proceedings.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Acting Chairman.

Enclosure E. No. 258.

COPY

Cherokee D 213.

Muskogee, Indian Territory, December 5, 1902.

Eddie Wheatley,

Frye, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting your application for the enrollment of yourself and your minor child, Claude R. Wheatley, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, Jesse Hill, Muskogee, Indian Territory, a copy of the record of proceedings, and there has this day been forwarded to him a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

COPY.

H. W. -2-

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Register.

Enclosure H. No. 104.

Cherokee D 218

COPY.

Muskogee, Indian Territory, December 5, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Eddie Wheatley for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated November 20, 1902, granting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

Tams Bixby.

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enclosure E. No. 106.

4326
Refer in reply
to the following:
Land.
73161-1903.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Feb. 2, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated December 5, 1902, forwarding, for the Department's consideration, the record relative to the application of Eddie Wheatley, nee Cooper, for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation.

November 20, 1902, the Commission held that the applicants were entitled to enrollment. The Cherokee Nation, by its Attorney, protests against the Commission's decision.

The record in this case shows that the principal applicant applied to the Commission for enrollment in 1896; that her application was denied; that an appeal was taken from the Commission's decision, and that the United States Court for the Southern District of the Indian Territory reversed the Commission's decision and held that Eddie Wheatley, nee Cooper, among others, was entitled to enrollment as a citizen of Cherokee Nation. The evidence also shows that on January 26, 1901, Eddie Wheatley, nee Cooper, married John E. Wheatley, a white man, and that as a result of that marriage Claude E. Wheatley was born. The record does not show that the principal applicant's name appears on any of the Cherokee rolls in the

possession of the Commission, but it does show that she has continuously resided in the Cherokee Nation since her admission to citizenship by the Court.

The Attorney for the Cherokee Nation seems to be of the opinion that the Court for the Southern District of the Indian Territory did not have jurisdiction over the Eddie Cooper case in 1896. The Court assumed jurisdiction and admitted her to citizenship, and the office does not believe that it is within the province of this office or the Department to determine whether or not the Court had jurisdiction. Considering that the applicant has heretofore been admitted by the Court, and has resided continuously in the Cherokee Nation since such admission, the office believes that the Commission's decision is correct and recommends its approval.

Very respectfully,

Commissioner.

GAW
O

D.C.4326 J.P.

DEPARTMENT OF THE INTERIOR, FEB

I.T.D. 1010--1903. Washington. February 9, 1903.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Eddie Wheatley, formerly Eddie Cooper, for the enrollment of herself and minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, transmitted with your letter of December 5, 1902.

It appears as stated in your decision of November 20, 1902, holding that the parties should be enrolled, that Eddie Cooper, in connection with others, applied to your Commission to be enrolled as Cherokee citizens in accordance with the act of June 10, 1896 (29 Stat.,321), which application was denied and an appeal was taken to the United States Court in the Indian Territory for the Southern District, wherein the judgment of the Commission was reversed and Eddie Cooper was admitted to citizenship in the Cherokee nation.

It also appears that Eddie Cooper married on January 15, 1901, one John M. Wheatley, a white man; that as a result of that marriage Claude M. Wheatley was born. Eddie Wheatley is not identified on the rolls of the Cherokee Nation. She has resided in the Indian Territory continuously since her admission by the Court.

The Nation protested against your decision, for the same reason as that stated in the case of William T. Gilliam, subject of departmental letter of this date.

Submitting the case February 2, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be concurred in. Following the decision of the Department in the case of William T. Gilliam, your decision is hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure.

COPY.

Cherokee 2-431

Muskogee, Indian Territory, February 28, 1903.

Eddie Wheatley,

Frye, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated November 26, 1902, granting your application for the enrollment of yourself and your minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 9, 1903.

Respectfully,

Acting Chairman.

COPY.

Cherokee 3-413

Muskogee, Indian Territory, February 28, 1903.

Jesse Hill,
Attorney for Eddie Wheatley,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated November 20, 1902, granting the application of Eddie Wheatley for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 9, 1903.

Respectfully,

Acting Chairman.

COPY.

Cherokee D-215

Muskogee, Indian Territory, February 20, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated November 20, 1902, granting the application of Eddie Wheatley for the enrollment of herself and her minor child, Claude E. Wheatley, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 9, 1903.

Respectfully,

Acting Chairman.

Cher 10097

William T. Gilliam

Trans. from D785

Cher 10097

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., [illegible] 16th, 1899.

In the matter of the application of William Thomas Gilliam for enrollment as a citizen of the Cherokee Nation, said William being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A William Thomas Gilliam.
Q What is your age? A [illegible].
Q Where is your present address? A I am in the Creek Nation now. Okmulgee.
Q In what district do you live in the Creek Nation? A I don't know what district it is.
Q What District do you live in in the Cherokee Nation? A Tooweescoowee.
Q Are you a citizen by blood of the Cherokee Nation? A Yes, sir.
Q What do you want to enroll? A Just myself.
Commissioner Needles presents a transcript of the proceedings of the United States Court, Indian Territory, for the Northern District, in the case of Eliza [illegible] William et al. versus The Cherokee Nation, No. 68. The decree being entered by the Honorable Isaac Parker, Judge of the United States Court, Southern District, Indian Territory, on the 14th day of December, 1897. Said decree ordering, among others, that the William T. Gilliam be enrolled as a citizen of the Cherokee Nation. Said transcript being certified to as correct by [illegible] Sam Hall, Clerk of said Court, on the 14th day of August, 1899, under the seal of said Court.
Q Are you the identical W. T. Gilliam mentioned in that? A Yes, sir.
Q Does your name appear upon any of the rolls of the Cherokee Nation? A No, I guess not.
Q Where were you born? A In Tennessee.
Q When did you remove to the Cherokee nation? A I have been in the Cherokee Nation and out for the last four years.
Q Are you a single man? A Yes, sir.
Q Where does your father live? A He lives in the Creek Nation.
Q Has he ever lived in the Cherokee nation? A Yes, he lived in the Cherokee nation last winter.
Q What is his name? A Morgan Gilliam.
INTERROGATORY BY W. W. HASTINGS, Cherokee Representative:
Q Where were you living in 1880? A In Tennessee country.
Q Up to that time had you ever lived in the Cherokee nation? A No, sir.
Q Where were you living in December, 1880? A I was in the Chickasaw country.
Q Up to that time had you ever lived in the Cherokee nation? A Yes, sir.
Q Where at? A Texana.
Q Canadian district? A Yes, sir.
Q How long had you been there? A About three months.
Q When you applied for citizenship you were in the Cherokee Nation? A Yes, sir.
BY COMMISSIONER NEEDLES:
Q You made your home with your father's family? A Yes, sir.
BY W. W. HASTINGS:
Q When did you come from Tennessee? A When I was four years old.
BY COMMISSIONER NEEDLES:
Q Your name is spelled here in the [illegible] as Gilliam, this is your name? A Gilliam.

Commissioner Needles:—The name of William T. Gilliam is not upon any of the authenticated or census rolls of the Cherokee nation, but he presents a transcript of proceedings of the United States Court, admitting him among others to citizenship in the Cherokee nation, more fully described in the [illegible] copy. For proof as to his residence

RECEIVED
NOV 13 1900

testimony taken in his case is referred to. For the reason the Representatives of the Cherokee Nation protest against the enrollment of said William T. Gilliam on the ground that he was not legally admitted to citizenship, the enrollment of said William T. Gilliam will be suspended and his name will be placed upon a doubtful card.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 13th day of November, 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 18 1900

ACTING CHAIRMAN

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 13 1900 1900.

Name William J. Gilham Page 27

District Year Page No.

Citizen by blood 1/8

Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

Admitted by the U.S. Court at Muskogee, I.T.

R

C. D-785

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March10,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William T. Gilliam for enrollment as a Cherokee citizen.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 18,1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March,1902, and that on said date he might appear before the Commission, either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his application. The applicant was also requested to file with the Commission a certified copy of the judgment of the Court showing his admission to citizenship in the Cherokee Nation. There is this day, to-wit: the 10th day of March, 1902, received and filed by the Commission a certified copy of the judgment of the United States Court, for the Southern District of the Indian Territory, showing that the applicant was admitted to citizenship in the Cherokee Nation by said Court under the provisions of the act of Congress approved June 10,1898 1896.

The original application filed with the Commission for admission to citizenship in the Cherokee Nation under the provisions of the act of Congress approved June 10,1896, are not at this time in the possession of the Commission, but in the possession of the United States Court for the Southern District of the Indian Territory.

BY MR. HASTINGS: The Cherokee Nation asks that the case be closed, with the right reserved to the Cherokee Nation to file a copy of the original papers filed in this case, either before the Commission in 1896 or the United States Court upon appeal, and that time be granted the Cherokee Nation to file brief contesting the question as to the jurisdiction of the court to admit these people on appeal from the Commission.

BY COMMISSION: The request of the Cherokee Nation will be complied with.

The applicant having this day, to-wit: the 10th day of March,1902, been called and failing to respond either in person or by attorney, it is considered that the case is completed and same is ordered reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

D 785

No. 68

United States Court,

INDIAN TERRITORY.

Northern District.

Eliza J. Eaton

vs.

Cherokee Nation

TRANSCRIPT OF PROCEEDINGS IN SUIT.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
MAY 10 1902
ACTING CHAIRMAN

Form No. 86.

TRANSCRIPT OF PROCEEDINGS.

United States Court,

INDIAN TERRITORY, ss:

Southern District.

At a stated term of the United States Court in the Indian Territory, Southern *District, begun and had in the Court Rooms, at* Ardmore, *in the Indian Territory, on the* 11th *day of* November, *in the year of our Lord one thousand eight hundred and ninety-* seven

Present, the Hon. Hosea Townsend, *Judge of said Court.*

On the 21st *day of* December, *1897, being a regular day of said term of said Court, among the proceedings had were the following, to wit:*

Eliza S. Gillam, et al,

vs. No. 68 Decree of Court.

Cherokee Nation.

On this the 21st day of December, 1897, the above entitled action came before the court, for a confir ation of the Master in Chancery's report herein filed on the 11th day of November, 1897. Plaintiffs appeared by their attorneys and asked that the report herein filed be confirmed. Defendant failed to appear. It appearing to the court that there is not any exceptions filed to the report of the Master in Chancery which is in language as follows:

" Eliza S. Gillam, et al,

vs. Report of Master in Chancery.

Cherokee Nation.

To the Hon. Hosea Townsend, Judge of the United States Court Southern District of the Indian Territory.

The Above styled cause was referred to me as Master in Chancery for the court, and I find the following:

That the above application was made as the law directs before the Hon. Dawes Commission, in the proper time and in due form; that the plaintiff, Eliza Gillam and her husband, M. Gillam and their minor children, Robert Gillam, Lillie Gillam, Pearl Gillam, Minnie Gillam & W.T. Gillam, and James Gillam, being of age and as guardian and

and next friend for the four minor children of W.T. Cooper deceased, viz: Eddie Cooper, Lizzie, Samual and John Cooper, and C.S. Cooper, brother of above named Eliza S. Gillam, and the said C.S. Cooper's wife, Georgia Cooper, and their four minor children, viz: Charles W. Cooper, Tennie Cooper, Dovie Cooper and Ruthie Cooper, claim to belong to the Cherokee Tribe of Indians by blood, and consequently are entitled to be placed upon the rolls of the Cherokee Nation. The said Eliza S. Gillam claims that she is the daughter of John W. Cooper, deceased, and that the said, John W. Cooper was the father of the said Eliza S. Gillam, and that the said John W. Cooper, who was the father of the said Eliza S. Gillam was the son of Delila Cooper, who was half part Cherokee Indian by blood, and that the said Delila Cooper, whose maiden name was Delila Simpson, was therefore grandmother of this petitioner, Eliza S. Gillam. This petitioner, Eliza S. Gillam was duly and lawfully married to her husband M. Gillam on the 20th day of July 1869, and that they had six childgren born unto them being the above named petitioners. That W.T. Cooper was married to Sallie Woods in the year of 1872, that they had four children born unto them as above mentioned. That said W.T. Cooper and his wife Sallie Cooper (nee Woods) are now deceased, and that the said named children are now living with Eliza S. Gillam and Morgan Gillam, that they are the natural guardian and next friend, and that the said W.T. Cooper above mentioned is a full brother of Eliza S Gillam and a son of John W. Cooper and a grandson of Delila Simpson, and that one of the other petitioners-C. C.S. Cooper, is a full blood brother of Eliza S Gillam and a son of John W. Cooper and a grand son of Delila Cooper nee Simpson, who was one half cherokee Indian by blood. That on the 12th day of December, 1875, the said C.S. Cooper was married to Georgia Woolley, and that they have had born unto them by virtue of that marriage f our children above mentioned. In support of these allegations, petitioners set forth the affidavits of Morgan Gillam, Eliza S. Gillam, C.S. Cooper, Jane Wheatley and S.W. Wheatley, referred to rolls of the Cherokee tribe of Indians. I find that all the facts set up in plaintiffs petition are proven. And that the said Eliza S. Gillam and her six children, viz: W.T. Gillam, Robert, Lillie G., Pearl, Minnie, and James Gillam are cherokee Indians by blood: that her husband Morgan Gillam is a cherokee Indian by intermarriage. And I further find that the four minor children of W.T. Cooper, deceased, viz: Eddie, Lizzie, Samual, and John Cooper are cherokee Indians by blood. I also find that C.S. Cooper and his four

the natural guardian and next friend, and that the said W.T. Cooper above mentioned is a full brother of Eliza S Gillam and a son of John W. Cooper and a grandson of Delila Simpson, and that one of the petitioners-C.S. Cooper, is a full blood brother of Eliza S Gillam and a son of John W. Cooper and a grand son of Dalila Cooper nee Simpson, who was one half cherokee Indian by blood. That on the 12th day of December, 1875, the said C.S. Cooper was married to Georgia Woolley, and that they have had born unto them by virtue of that marriage f our children above mentioned. In support of these allegations, petitioners set forth the affidavits of Morgan Gillam, Eliza S. Gillam, C.S. Cooper, Jane Wheetley and G.W. Wheetley, referred to rolls of the Cherokee tribe of Indians. I find that all the facts set up in plaintiffs petition are proven. And that the said Eliza S. Gillam and her six children, viz: W.T. Gillam, Robert, Lillie G., Pearl, Minnie, and James Gillam are Cherokee Indians by blood; that her husband Morgan Gillam is a cherokee Indian by intermarriage. And I further find that the four minor childrem of W.T. Cooper, deceased, viz: Eddie, Lizzie, Samuel, and John Cooper are Cherokee Indians by blood. I also find that C.S. Cooper and his four minor children, viz: Charles, Tennie, Dovie and Ruthie are Cherokee Indians by blood and his wife Georgia Copper is a Cherokee Indian by intermarriage. I therefore recommend that all of the above applicants be enrolled as Cherokee citizens by blood and intermarriage.

W.H.L. Campbell,

Master in Chancery."

It appearing to the Court that the above facts are supported by the law and the evidence, It is threfore ordered decreed and adjudged that the report of the Master be in all things confirmed, and it is further ordered, decreed and adjudged that Eliza S. Gillam, W.T. Gillam, Robert Gillam, Lillia G? Gillam, Pearl Gillam, Minnie Gillam James Gillam, and Morgan Gillam, W.T. Cooper, Eddie, Lizzie, Samuel, and John Cooper, C.S. Cooper, Charles Cooper, Tennie Cooper, Dovie Cooper, Ruthie Cooper, and Georgia Cooper, be enrolled as citizens of t the Cherokee tribe of Indians.

Witness my hand and seal of this Court the daye and year above written. To which the defendant duly excepted and still excepts.

Hosea Townsend,

Judge U.S. Court Southern Judicial District.

Indians by blood and his wife Georgia Cooper is a Cherokee [illegible] by intermarriage. I therefore recommend that all of the above applicants be enrolled as Cherokee citizens by blood and intermarriage.

W.H.L. Campbell,

Master in Chancery."

It appearing to the court that the above facts are supported by the law and the evidence, It is threfore ordered decreed and adjudged that the report of the Master be in all things confirmed, and it is further ordered, decreed and adjudged that Eliza S. Gillam, W.T. Gillam, Robert Gillam, Lillia G? Gillam, Pearl Gillam, Minnie Gillam James Gillam, and Morgan Gillam, W.T. Cooper, Eddie, Lizzie, Samuel, and John Cooper, C.S. cooper, Charles Cooper, Temmie Cooper, Dovie Cooper, Ruthie Cooper, and Georgea Cooper, be enrolled as citizens of t the Cherokee tribe of Indians.

Witness my hand and seal of this court the daye and year above written. To which the defendant duly excepted and still excepts.

Hosea Townsend,

Judge U.S. Court Southern Judicial District.

United States Court,

INDIAN TERRITORY, ss:

Southern *District.*

I, C.M. Campbell *, Clerk of the United States Court within and for the District and Territory aforesaid, do hereby certify, that the foregoing orders are truly taken, and correctly copied from Court Journals of said Court, as the same appears to me.*

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said Court, at Ardmore

this 12th *day of* Aug *A. D. 1*

C M Campbell

Clerk.

By ..... *Deputy.*

Cherokee D 986.

aap 82

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William T. Gillium, for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

---oOo---

The record in this case shows that on November 13, 1900, William T. Gillium appeared before the Commission at Claremore, Indian Territory, and made application for his enrollment as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 16, 1906.

The evidence shows that William T. Gillium made application, among others, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) to the Commission to the Five Civilized Tribes for admission to citizenship in the Cherokee Nation by reason of his Cherokee blood; that his said application was denied, and that on appeal from such decision to the United States Court in Indian Territory for the Southern District, the decision of the Commission was reversed, and the said William T. Gillium was admitted to citizenship in the Cherokee Nation, as a citizen by blood of said Nation on December 24, 1897.

The evidence further shows that the said William T. Gillium has been a resident of Indian Territory since the date of his admission to citizenship.

It is, therefore, the opinion of the Commission that William T. Gillium should be enrolled as a citizen by blood of the Cherokee Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Dated at Muskogee, Indian Territory,

MAR 19 1906

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 2nd 1902.

In the matter of the application of

William T. Gilliam for enrollment as a citizen of the Cherokee nation.

Cherokee D # 705.

Protest of the Cherokee Nation.

The Cherokee Nation respectfully protests against the decision of the Commission rendered on November 20th 1902 in the above entitled case and that the same be forwarded to the Honorable Secretary of the Interior for review.

The first proposition that we will consider is the jurisdiction of the United States Court for the Southern District of the Indian Territory to hear and determine this case on the 18th 1902 at the time the applicant appealed from the decision of the Commission there were three judges in the Indian Territory as provided in the act of March 1st 1895 (28 U. S. Statutes at large Chapter 145 Page 696.)

The act which gave this commission power to hear citizenship cases as contained the following provision in regard to appeals:

"That if the tribe or any person be aggrieved with the decision of ~~in~~ the tribal authorities or the commission provided in this act, it or he may appeal from such decision to the United States District Court."

Technically there was no such court in the Indian Territory as a District Court, and as the United States District for the Western District of Arkansas was the nearest District Court some good lawyers thought the provision applied to that court, and some appeals were actually taken there. A review of the other laws existing at that time in this jurisdiction made it plain that Congress intended , and that was that the appeals should be prosecuted before the United States Judges in the District in which the cause of action arose, and ~~as~~ particularly in which the Nation was situated. The act above referred to provided for the appointment of three judges and also provided as follows as to their powers:

"The judges shall have within the judicial districts for which they are appointed all such authority, both in term time and vacation, as to all matters and causes both criminal and civil pending or that may be brought in said Districts."

It is plain therefore that the judge had power only in his district to entertain such matters as were either lawfully pending or lawfully brought in their respective districts. To sustain this proposition we call attention to the decision of Chief Justice Fuller in the case of Stephens Vs the Cherokee Nation, 174 U. S. 446, in which he construes this portion of the act, so we contend, as follows:

"The act (Referring to the Curtis Bill, which contains the same provisions as the act of 1906) gave jurisdiction to the United States Courts in the Indian Territory in their respective districts to try causes against those who claim to hold lands etc."

Section 7 of the act of 1906 which gives the jurisdiction in regard to suits in the respective districts has the following provision:

"All civil suits shall be brought in the District in which the defendant or defendants reside or may be found."

Undoubtedly then Congress intended no change in the systems of law or the jurisdiction of the several Districts~~s~~ Judges in allowing appeals in ~~s~~ an act passed a little more than a year thereafter. And again co-temporaneous construction of acts of Congress by all parties concerned is always weighty argument in determining how the court should hold. The Nations and litigants alike in these cases, with the exception of three cases from the Cherokee Nation, all took their appeals to the District court in that Dis-

trict in which the Nation was situated. This was certainly the Natural Course, because Congress did not presume that a man would be applying for citizenship in a Nation nor claim to be a citizen of a Nation in which he himself did not reside. And therefore the presumption was that the applicant for citizenship was a resident of his own Nation, and that they would both be in the same district, and therefore where the plaintiff or defendant under the law would have to prosecute their appeals in the same district. There was no waiver of this jurisdictional fact, even if it could be waived, and the Nation can now attack it as well as at any other time.. The Judgment of the Commission to the Five Civilized Tribes was just and valid. Its reversal was ~~xxx~~ by a court without jurisdiction and the judgment of that court is in the teeth of the recognized law governing such cases, and is a fraud upon the nation against which it was rendered. And this Commission is given plenary power in other acts passed by Congress touching its powers to protect the Nation against fraud. If, however such a judgment was good it was not made by the Curtis bill, which provides that they should not enroll any citizen who had notpreviously removed to and in good faith settled in the Nation in which he applies to be enrolled.. This would not be necessarily setting aside the judgment of another court. A man who acquired citizenship by the courts judgment certainly had no higher rights of citizenship than a man who acquired it by his birth, and yet the act of 1898 gives full power to the Commission to refuse to enroll a man who though born in the Cherokee nation, had effectually removed therefrom, and attemped to be enrolled by returning after the specified time. It was similar to an act passed on December 4th 1894, by the Nation itself, which provided that those people who had hitherto been admitted to citizenship lawfully by the act of its Council would be deprived of such citizenship unless they returned to the Nation within six months after the passage of the act. But suppose for the sake of argument we should say that the Curtis bill under this view was interferring with the judgment of the United States Court for the Southern District that was valid. Still these parties can not be enrolled. Because Congress while the states can pass no kind of retroactive laws which do not have the effect of divesting vested rights.The Supreme Court in the Stephens case decided that the citizenship judgments carried with them no property rights, and that the citizenship judgments were not judgments carrying

with them any property rights or vested rights. We find the following in that decision with reference to the contention at that time pressed by counsel touching this matter:

"The mere expectation of a share in the public lands and moneys of the these tribes if hereafter distributed, if the applicant were admitted to citizenship, can not be held to amount to such an absolute right of property that the original cause of action, which is citizenship or not, is placed by the judgment of a lower court beyond the power of reexamination by the higher court, though subsequently authorized by general law to exercise jurisdiction."

That decision decided that the lands and money of the nation were public lands and public moneys and that the assertion by the applicant that his right therein was so vested as to preclude inquiry into his citizenship involved a contradiction in terms. In 1836 in an inquisition by a jury condemning certain railway lands for the railway company was ratified and confirmed by a court of competent jurisdiction. Five years afterward the legislature of the state passed an act directing the court to set aside the inquisition and cause a new one to be made, which the court accordingly did. The case was taken to the Supreme Court of the United States. The railroad contending that the act was unconstitutional and void. The supreme court however, in the case

Railway Company Vs Beckitt, 10 How ., 398, held the act to be valid and said:

"This intervention, too, was the exercise of power by the legislature supposed by that body to belong legitimately to itself; whether this authority was strictly legislative or judicial according to the distribution of power in the state government was a question rather for that government than for this court to determine."

In Freeborn Vs Smith, 2 Wall., 160, a case where Congress had allowed an appeal where the judgment would have otherwise been final the court used this language:

"If the judgment below was erroneous the plaintiff in error had the moral right at least to have it set aside and the defendant is only claiming a vested right in a wrong judgment."

Upon this point of a wrong judgment and a vested right we quote the following language of Mr Justice Miller in

Freeland Vs Williams, 131 U. S.., 405.

"Many other cases might be cited in which it was held that retrospective statutes when not of a criminal character though affecting the rights of parties in existence are not forbidden by the Constitution of the United States."

Now applying these doctrines here it is apparent that the parties here in had no vested right in the judgment of the United states Court for the

Southern District of the Indian Territory, even if the court rendering the judgment was within its jurisdiction. That supposed right in the judgment can not be bought sold or assigned; none of its rights have arisen upon a contract, or a transaction in the nature of a contract; no property or contractual rights have completely or definitely accrued to or settled in these applicants. The judgment is not a right of action and is not a right in property; and in so much as said judgment was an error in fact and law the parties can have no vested right in such an error.

We think therefore we have established two propositions, first that the appeal was wrongfully taken, and that therefore the original judgment of the Commission is the only valid judgment in the case. Second that if this is not true that Congress had the right to pass a law restricting the effect of that judgment after it was rendered..

In the case of Roff Vs Burney, 168 U S 218, the court decided that the citizenship which the Nation could confer it could withdraw; and it most certainly must be true that the great government of the United States can withdraw any such rights and privileges which it by its laws had once conferred.

This leaves us, therefore, to the proper construction of section 21 of the act of June 28th 1898, in which occurs this language:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

A mans citizenship is always where his domicile is. Domicile does not necessarily mean the place where a man actually resides; but it is the place where in fact and in law is his home. No man can have a domicile in any state or community in which he was not born, and in which his parents were not born, and in which neither his parents or himself ever resided. That proposition is too plain for further argument. We do not maintain that the fact that a citizen of the Cherokee nation may be residing temporarily with his family in some other of the Five Civilized Tribes for feits his citizenship, where he has at one time had citizenship and a residence in the Nation, and certainly not where, though absent, he has owned property in the nation and continues to own it and keeps in touch with its affairs, because he constructively resides in the Cherokee Nation

and in fact and in law resides there. In other words under the laws of the nations and states he would be entitled to vote there. Does any one contend that a man whose parents were never connected with the Cherokee Nation as at present constituted, who was born of these parents in a distant state and lived in that state until his majority and he afterwards removed to the Chickasaw nation would be entitled to a vote in the Cherokee nation? Did these people establish any such residence in the Cherokee Nation or domicile of any kind prior to June 28 1898? If not that act prevents their enrollment. And in as much as these are uncontroverted facts the Commission can not enroll them.

The Second proposition which we shall discuss is the present residence of the applicant which is shown to be in the Creek nation and not in the Cherokee Nation. Now then the act herein above just quoted provides that no person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship And the first definition in the recent agreement submitted by Congress by an act approved July 1st 1902 and ratified by the Cherokee people August 7th 1902 defines the word "Nation" to be the "Cherokee Nation" hence the representative of the Cherokee Nation is at a loss to know how the Commission can possibly interpret the word nation as used in Section 21 of the Curtis bill to mean the " Territory of the Five Civilized Tribes" or the "Territory of the ~~Muscogee (Creek) Nation~~ Five Civilized Tribes" to be the Cherokee nation. What the Cherokee nation would like to have is a flat footed decision by the Department upon the question as to whether the word Nation means the Cherokee nation or whether it means the Indian territory and if it means the Indian territory what shall we do with the definition contained in the recent Cherokee Agreement hereinabove referred to?

For the two reasons namely that the United States Court for the Southern District of the Indian Territory had no jurisdiction over the case of this applicant upon appeal from the Commission to the Five Civilized Tribes and furthermore had no right to admit the applicant and for the second reason that residence in the Creek nation is not regarded by the Representative of the Cherokee nation as residence in the Cherokee Nation as is required by section 21 of the Curtis bill. The Cherokee Nation respectfully submits that the Commissions decision in this case should be reversed.

Respectfully submitted,

W W Hastings Atty Cherokee nation.

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COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 15 1902

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. TOWNSEND
C. R. BREDENTINE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1902.

William T. Gillian,

Rye, Indian Territory.

Sir:

You are hereby notified that the application of yourself

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You will be required to supply the Commission with a certificate of your re-admission as a Cherokee citizen by the U.S. Court for the Southern District, Indian Territory.

Yours truly,

Commissioner in Charge.

Cherokee R. 783
Dockets

COPY.

Cherokee 3 7855.

Muskogee, Indian Territory, November 20, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting the application of William T. Gilliam for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Acting Chairman.

Enclosure H. No. 21.

Cherokee D 785.

Muskogee, Indian Territory, December 8, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of William T. Gillism for the enrollment of himself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated November 20, 1902, granting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

Through the

Commissioner of Indian Affairs. Acting Chairman.

Enclosure No. 94.

COPY

Cherokee B 735.

Muskogee, Indian Territory, December 5, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision granting the application of William T. Gilliam for the enrollment of himself as a citizen by blood of the Cherokee Nation, a copy of which decision was furnished you on November 20, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

Acting Chairman.

COPY.

Cherokee D 785.

Muskogee, Indian Territory, December 9, 1902.

William T. Gilliam,

Frye, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated November 20, 1902, granting your said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Acting Chairman.

Register.

Enclosure S. No. 93.

D.C.4325. DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Refer in reply
to the following: Washington, Feby. 2, 1903.
Land.
75181-1903

The Honorable,

The Secretary of the Interior.

Sir:-

There is enclosed herewith report from the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding, for the Department's consideration, the record relative to the application of William T. Gilliam, for enrollment as a citizen by blood of the Cherokee Nation.

November 20, 1902, the Commission held that the applicant was entitled to enrollment as a citizen of the Cherokee Nation. The Cherokee Nation protests against the Commission's decision.

The record in this case shows that William T. Gilliam made application to the Commission in 1896 for admission to citizenship in the Cherokee Nation; that his application was denied; that an appeal was taken from the Commission's decision, and that the United States Court for the Southern District of the Indian Territory, on December 24, 1897, declared that the applicant was entitled to admission as a citizen by blood of the Cherokee Nation.

The record further shows that the applicant has continuously resided in the Cherokee Nation since the date of his admission to citizenship by the Court.

The principal ground of the Cherokee Nation's protest seems to

be the jurisdiction of the Court over the case. The Court assumed jurisdiction of the case and admitted the applicant to citizenship, and the office does not believe that it is within its province, or the province of the Department, to determine whether said Court had jurisdiction of the case in 1896. Inasmuch as the applicant was in 1896 admitted to citizenship by the Court, and considering that he has continuously resided in the Cherokee Nation since the date of his admission, the office thinks the decision of the Commission is correct and recommends its approval.

Very respectfully,

Commissioner.

GAW
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D.C.4325. J.P.

DEPARTMENT OF THE INTERIOR,

I.T.D. 1008-1903. Washington.

L.R.S. February 9, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 2, 1903 the Acting Commissioner of Indian Affairs forwarded the record relative to the application of William T. Gilliam, for enrollment as a citizen by blood of the Cherokee Nation.

November 20, 1902, you rendered your decision, holding that as Gilliam made application to your Commission under the provisions of the act of June 10, 1898 (29 Stat.,321), for admission to citizenship in the Cherokee Nation, and was rejected but appealed to the United States Court in the Indian Territory for the Southern District, where your decision was reversed and Gilliam was admitted to citizenship in said Nation, he is entitled to enrollment.

The Nation protested. The papers were transmitted with your letter of December 5, 1902. The Nation contends that the United States Court Southern District, did not have jurisdiction in the case, as the Cherokee Nation was not in that district. To sustain this contention the Nation's attorney refers to various provisions of the act of March 1, 1895 (28 Stat.,695), which act provided for three judges in the Indian Territory, and to the decision of the United States Supreme Court in the case of Stephen vs. the Cherokee Nation (174 U.S., 446).

The Acting Commissioner states that as the Court for the Southern District assumed jurisdiction of the case and admitted the applicant to citizenship, he does not believe that it is within the province of the Department to determine whether the Court had jurisdiction in the matter.

The Department does not consider that the views of the Nation are sustained by the decision in the case of Stephen vs. the Cherokee Nation. It considers, moreover, that under the circumstances there rests in it only the authority to direct the enrollment of the applicant. Your decision is accordingly affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Cherokee D-736

Muskogee, Indian Territory, February 20, 1903.

William L. Collins,

Bryn, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee nation, was affirmed by the Secretary of the Interior, on February 9, 1903.

Respectfully,

Tams Bixby

Acting Chairman.

COPY.

Cherokee 3-498

Muskogee, Indian Territory, February 24, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision, dated November 20, 1902, granting the application of William T. Gilliam for the enrollment of himself as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 9, 1906.

Respectfully,

Tams Bixby

Cher 10098

Edmond Fleetwood

Trans. from D1193

Cher 10098

5

Department of the Interior.
Commission to the Five Civilized Tribes.
Sallisaw, I. T., August 7th, 1900.

In the matter of the application of Edmund Fleetwood et al for enrollment as Cherokee citizens; being sworn and examined by Commissioner Breckinridge, testifies as follows:

Q What is your full name? A Edmund Fleetwood.
Q What is your age? A 54.
Q What is your post-office? A Hanson, I.T.
Q For whom do you apply for enrollment? A I apply for myself and all my family.
Q Wife and children? A Yes sir.
Q Are you upon any of the rolls of the Cherokee Nation? A I suppose I am; I don't suppose I am on the roll of 1880, I was in Muskogee.
Q Do you apply as a Cherokee by blood? A Yes sir.
Q Do you apply for your wife as a Cherokee by blood? A Yes sir.
Q In what district do you live? A Sequoyah.
Q How long have you lived in Sequoyah? A 18 years.
Q Have you lived continuously for 18 years in Sequoyah? A Yes sir, no other place.
Q What is your wife's name? A Malinda Jane.
Q How old is your wife? A She's about 43 years old.
Q What was her name when you married her? A Her maiden name was Ross, but she had been married before I married her; Morris was her other name.
Q When did you marry her? A About '83, I reckon.
Q Is she on the roll of 1880 as a Morris? A Yes sir, it will either be Morris or Ross; I don't know which one reaches it.
Q You and she lived together ever since your marriage? A Yes sir; we have seven children.
Q Names and ages of your children, all under age? A Theodore.
Q How old is he? A 16 going on 17 I think.
Q Next child? A Thomas.
Q How old is he? A 14.
Q Next child? A Cleveland.
Q How old is he? A 12.
Q How according to this list your next child is Red Cloud? A Yes sir.
Q His age? A 10 years.
Q Now the next child on this list is Lee Royle; 7 years then? A Yes sir.
Q What's the name of the next child? A Jewel May.
Q She's 2 years old? A Yes, that's her age.
Q Pearl, the next one? A Yes sir.
Q How old is she? A Born March 7, this last March.
Q About 6 months old? A Yes sir.
Q These children are all living at this time? A Yes sir, all alive.

1880 roll; page 710, #887, Malinda Morris, Sequoyah Dist.
1894 roll; page 954, #497, Malinda Fleetwood, " "
1894 roll; page 954, #499, [illegible] Theodore " "
1894 roll; page 954, #500, Thomas Fleetwood, " "
1894 roll; page 954, #501, Cleveland Fleetwood, " "
1894 roll; page 954, #502, Red Cloud " " "
1894 roll; page 954, #503, Lee Roy " " "
1896 roll; page 1067, #512, Malinda " " "
1896 roll; page 1067, #513, Theodore " " "
1896 roll; page 1067, #514, Thomas " " "
1896 roll; page 1067, #515, Cleveland " " "
1896 roll; page 1067, #516, Red Cloud " " "

Q Have you a certificate of your marriage to your wife, Malinda Jane? A I have one at home, not in my pocket.
Q Have you personal evidence that you can introduce showing that you and she have lived together as husband and wife? A Yes sir, my wife is here.

Witness, Malinda Jane Fleetwood, being sworn and examined by Com'r. Breckinridge, testifies as follows:

Q Are you the wife of the applicant here, Edmund Fleetwood? A Yes sir.
Q [illegible] A I could not tell you what year I was married.
Q How old is your oldest child? A 16 going on 17.
Q In what is that child's name? A Theodore.
Q How long after your marriage was that child born? A A year or two.
Q You have been married some 17 years or such a matter? A Yes sir.
Q That would put your marriage along about '83, is that right?
A I guess it is.
Q What was your name before you married Mr. Fleetwood? A Ross was my name; Bell Bowles was my first husband.
And your maiden name was Ross? A Yes sir.
Q Are you the same person who was enrolled in 1880 as Malinda Jane Morris? A Yes sir, I guess so; I wasn't there myself.
Q You were a Morris in 1880? A Yes sir.
Q Have you and your present husband, Edmund Fleetwood, lived together as husband and wife ever since your marriage in 1883? A Yes sir.
Q How many living children have you by this husband? A 7.
Q Have you a child named Lee Boyle? A Yes sir.
Q I think Lee Boyle's name enrolled in 1894 and not in 1896, why was his name left off in 1896? A Must have been a mistake in the Clerk.
Q What child is living at this time? A Yes sir.
Q You have seven children living now, have you? A Yes sir.
Q The children of your present marriage? A Yes sir.

re-direct.

Q Mr. Fleetwood, what proportion of Cherokee blood do you claim?
A 1/2.
Q What portion do you claim for your wife? A Not more than a quarter.
Q You are not found enrolled upon any of the rolls of the Cherokee Nation? A I drew money with them until the last payment; they botched my name in some way, been unable to reach it since.
Q As the record now stands, we have no ground upon which we can enroll you individually; is there [illegible] any evidence that you can produce that you have ever been admitted and recognised by the Cherokee authorities as a citizen of the Cherokee Nation? A I drew money with them.
Q When did you draw money as a Cherokee citizen? A I drew in the first payment and in the third payment and in the fourth payment.
Q Have you got evidence of that? A Not here, but I got evidence to show you that I must be a citizen in these papers here.

1896 roll; page 1073, #678, Lee Roy Hicks, Sequoyah Dist.

Note: This is identified as the same child who is enrolled in '94 as Lee Roy Fleetwood and as claimed by Mrs. Fleetwood in her personal testimony as her child.

Q Did you get out a license when you married your present wife?
A No sir.
Q You married as a Cherokee and didn't consider that you needed a license? A No sir.
Q Now is there any evidence that you can introduce at this time to show as a matter of fact that you have been recognised either by enrollment or any other way at any time by the Cherokee authorities as a Cherokee citizen? A I am on a number of rolls which are not present at this time. I have a number of documents which have been loaned to me and which I can produce later showing that I have been treated by the officials as a Cherokee citizen. I voted in the last election for Chief Huntington. Judge Littlejohn is on the ground and he has used me often as a juryman in his Courts. I present you at this time my appointment as a school director signed by E. W. C.

APPLICATION FOR READMISSION AND ENROLLMENT.

Before the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Galpraith and Alexander B. Montgomery, constituting the United States Commission to the Five Civilized Tribes.

Rhoerry Fleetwood,
Sarah Ward,
LaFayette Teel,
Sarah Meeks,
Susan Palmore,
.....Ward,
Johnnie Fleetwood,
Minnie Fleetwood,
Velma Fleetwood,
Lorena Fleetwood,
Cassie Brown,
Leslie I. Brown,
Myrtle Brown,
Lottie Brown,
Stephen Edwards,
Andrew S. [illegible],
William Lafayette Teel,
Jennie Teel,

Stephen D. C. Edwards,
Martha W. Brown,
Willie Meeks,
Andrew Palmore,
Grover Cleveland Ward,
.....Ward,
Pearle Fleetwood,
Arkansas Fleetwood,
Willie Fleetwood,
Foley Fleetwood,
William B. Brown,
Martha Brown,
Grover Brown,
Julius Edwards,
Rosa Lindsey,
Carrie Ann Teel,
John Hugh Teel,

[illegible]

[illegible]

The Cherokee Nation of the Indian Territory,

[illegible]

Shelton, President, and Thomas Camillo, Secretary of the Board of Education.

Dear Sir:

Now I am ready to render my judgment on your application Mr. Fleetwood. As you ask in your application for yourself, you are not from [illegible] of the Cherokee Nation accessible to [illegible] now do you present any other evidence at this time showing that you have ever been recognized or admitted as a Cherokee citizen by any authority of the Nation authorized to determine and fix your citizenship in that respect. Therefore, you come under the provisions of Sec. of the Act of Congress, approved May 31st, 1900, page 245, "An Act making the Indian Appropriation Act for the fiscal year ending June 30th, 1901, and for other purposes, which act states in the [illegible] of the Commission that it shall not receive, consider or [illegible] the record of any application of any person for enrollment as a citizen of any tribe in Indian Territory, who cannot be a bona fide citizen thereof, and duly and lawfully enrolled or admitted as such citizen by the proper authorities of such tribe; and it shall be the duty of the Commissioners to the Five Civilized Tribes to determine the facts as to the qualifications of all persons applying for enrollment." This is so much of said Act of legislation to your case. Now under that provision of law, [illegible] will be kept of your application pending the [illegible] contest at this time for want of jurisdiction. If you can produce satisfactory evidence to this Commission before [illegible] in behalf of your case, it will be taken into consideration at [illegible] evidence justifying the action, your case will be given [illegible] attention.

Now, [illegible] to claim [illegible], is only by virtue of the rights of [illegible]. The fact of your marriage to her and of your [illegible] together and residing continuously for many years in the [illegible] is established by a witness by name, and your children, Theodore, Thomas, Cleveland, Bob Cloud and Joe Roy, are [illegible] on the rolls of 1 94 and 1896, and your wife and [illegible] five children will be dealt at this time as Cherokees by blood; and that you produce [illegible] certificates of the birth of your children, Joe Roy and Pearl, one of whom is still alive, they are too young to be upon any rolls will also be considered as Cherokees by blood.

[illegible] your duly sworn by Commissioner Dyer [illegible] to the Commission to the Five Civilized Tribes, [illegible] to be and the testimony of the above named witness, Edward Fleetwood, and that the foregoing is a full, true and correct [illegible] of the same.

Edward F. Rathbun

Subscribed and sworn before me this 8th day of August, 1900.

[illegible]

Kelly, President, and Thomas Carlile, Secretary of the Board of Emollm[illegible].

Gentlemen:

[illegible] ... reply to your request on your application [illegible]. ... [illegible] ... is my duty to inform you that, as your application for enrollment, you are not ... [illegible] ... on the rolls of the Cherokee Nation admissible to ... [illegible] ... nor do you present any other evidence at this time ... [illegible] ... you have been recognized or admitted as a Cherokee ... [illegible] ... authority of the Nation authorized to determine and ... [illegible] ... this request. Therefore, you come under the ... provisions of the act of Congress, approved May 31st, 1900, ... [illegible] ... entitled the Indian Appropriation Act for the fiscal ... year ... [illegible] ..., and for other purposes, which act states ... in ... [illegible] ... that it shall not receive, consider ... or ... [illegible] ... application for enrollment ... [illegible] ... in Indian Territory, who cannot have a ... [illegible] ... proof, and duly or lawfully enrolls or ad- ... mitted ... [illegible] ... by the decision of such application shall be final ... [illegible] ... Secretary of the Interior." This is no such ... decision ... [illegible] ... to your case. Nor under that provision of ... [illegible] ... application will be kept of your application pending ... [illegible] ... for want of jurisdiction. ... If ... [illegible] ... evidence to this Commission before ... [illegible] ... in your case, it will be taken into consider- ... ation ... [illegible] ... Commission acts on, your case will be ... given ... [illegible].

... [illegible] ..., while here, is duly identified on the books of ... [illegible] ... as a part of your ... [illegible] ... to her and of your ... [illegible] ... as residing continuously for many years ... [illegible] ... is entitled in a satisfactory manner, ... [illegible] ..., Thomas, Mary, Cleveland, Del Cloud and Joe ... [illegible] ... provisions of the Dawes Act of 1 94 and 1896, and your ... wife and ... [illegible] ... children will be recognized at this time as Chero- ... kees ... [illegible] ... you produce ... [illegible] ... certificate of the ... [illegible] ... by an Agent, all of whose ... [illegible] ... and ... [illegible] ... to be upon any rolls will also ... be ... [illegible] ... by blood.

... [illegible] ... duly sworn by Commissioner ... [illegible] ... to the Commission to the five Civilized ... [illegible] ... all the testimony of the above named witness, ... [illegible] ... and that the foregoing is a full, true and correct ... [illegible].

Edward L. Rathbun

... [illegible] ... before me this 9th day of August, 1900.

... [illegible].

BEST AVAILABLE COPY

~~1906 Mem~~
K 114 27 of.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 15 1900

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Make doubtful to consult Commission and Court record; judgment stated.

Cherokee D 1193

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
20 '90

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 7 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION

Date August 7 1909.

54 Name Edmond Bledsoe - Manson, N.C.

District

Citizen by blood Yes 1/2 Mother's citizenship

Intermarried citizen

Married under what law

License

Wife's name

District

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law

License

Names of Children:

Dist. Dist. Dist. Dist. Dist. Dist. Dist. Dist. Dist. Dist.

Year Page No. Age

Year Page No. Age

Year Page No. Age

Year Page No. Age

Year Page No. Age

Year Page No. Age

Year Page No. Age

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Year Page No. Age

Department of the Interior.
Commission to the Five Civilized Tribes.
Muldrow, I. T., August 15th, 1900.

In the matter of the application of Edmond Fleetwood et al for enrollment as Cherokee citizens, re-appearing in his own behalf, having been previously sworn, testified as follows:

Q Give me your full name? A Edmond Fleetwood.
Q Give your post-office? A Hanson.
Q What is it you want to bring out at this time? A I want to identify myself in the list of those who have been admitted by the United States Court.
Q Under what name do you appear in the Court record? A Its spelled Eddie Fleetwood.
Q Are you frequently called Eddie? A Yes sir.
Q Who is J. C. Johnson Fleetwood? A That must be a sister's child.
Q Who is Martha Brown? A A sister of mine who lives at Southwest City.

W. T. Hutchings, representative of the Cherokee Nation:

Q You were before the Commission at Sallisaw and applied for enrollment did you not? A Yes sir.
Q At that time you made no claim to being admitted by the Dawes Commission or the United States Court? A I knew I didn't have any papers to present and it wasn't necessary.
Q You did not know that there was any paper in existence purporting to admit you to citizenship, did you? A Yes, I knew there was a paper but I didn't have it.
Q Your attention in that evidence was called to the fact that you were a brother of Elijerry Fleetwood, was it not; and asked about his being admitted, and you made no claim to being admitted with him, did you? A I don't remember; I have no recollection of it.
Q Did you ever make any application to the Dawes Commission to be admitted? A The family made the whole applicants together.
Q Did you authorize anybody to put your name in? A Yes sir, I had authorized a fellow by the name of Stephen Edwards to put all the names in.
Q Didn't you swear positively before the Dawes Commission last week that you never made any application to the Dawes Commission? A No sir, I don't think I did.
Q When the case was appealed from the Dawes Commission to the United States Court, didn't you employ attorneys to follow the case there? A Jerry Fleetwood and Stephen Edwards looked after it.
Q Then the lawyers that represented Elijerry Fleetwood and Edwards on appeal of the case to the United States Court also represented you before the United States Court and had authority to appear for you in that Court? A Yes sir.
Q And they were appearing for you in the United States Court? A They did, it seems so.

We want to call attention to the fact that in the original application before the Dawes Commission his name did not appear, nor does it appear in the Master's report, nor among the names of the admitted and rejected in that case found on the minutes of Judge Springer's Court Docket, all of which correspond exactly with the original application before the Dawes Commission.

re-direct.

Witness, [illegible] Fleetwood, having been duly sworn by Com'r. Breckinridge, testified as follows:

Q What is your postoffice? A Lamy, I.T.
Q Are you a brother to Edmond Fleetwood? A Yes sir.
Q Did you have anything to do with making up the application that was made to the Dawes Commission and subsequently carried to the United States Court for the admission of yourself and your brother, Edmond, to Cherokee citizenship? A Yes sir, I gave his name in.
Q To whom did you give it in? A Gave it in to the lawyers.
Q What lawyers? A Mon Maxey & Stanfield.
Q How did you give in your brother's name, as Edmond? A Couldn't say. I gave it in Edmond or Eddie, don't know which.
Q Did you sometimes call him Eddie and sometimes Edmond? A We called him Edmond. Lawyers must have misunderstood me, they gave it in that way I guess.
Q Is he ever called Eddie? A No sir.
Q You know though that you gave his name in with the balance of the family? A Yes sir.
Q Is there anyone named Eddie in your family? A No sir.
Q Was there anyone who should have been called Eddie in that application that was made? A No sir; not that I know of.
Q Do you know all the members of the Fleetwood family whosenames were given in? A No sir, I don't know them all.
Q And don't know whether there was an Eddie given in or not? A No sir, I don't.
Q So far as you know there might be an Eddie Fleetwood in that family? A There might be.

Edward M. [illegible], being duly sworn by Commissioner Breckinridge as interpreter in the Commission to the Five Civilized Tribes, he returns the foregoing testimony of the above named witness, Edmond Fleetwood, and that the foregoing is a full, true and correct transcript of the record.

[illegible]

Sworn to and subscribed before me this [illegible]th day of August, 1900.

Commissioner.

Cherokee D-1193

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 23,1902.

SUPPLEMENTAL TESTIMONY, in the matter of the application of Edmond Fleetwood for enrollment as a citizen by blood of the Cherokee Nation.

TESTIMONY INTRODUCED ON BEHALF OF THE APPLICANT.

Appearances:
W.S.Stanfield, attorney for the applicant;
Caleb Starr, as representative for Cherokee Nation.

SARAH F. WARD, being sworn by Commissioner Needles, testified as follows:

BY W.S.STANFIELD:
Q What is your name? A Sarah F. Ward.
Q Are you acquainted with one Edmond Fleetwood? A Yes sir.
Q What relation are you to him? A He is a brother of mine.
Q What relation are you to L. J. Fleetwood? A That is a brother of mine.
Q How old are you? A I will be 50 if I live to see the 20th of next April.
Q Are you acquainted with all of the Fleetwoods? A Yes sir, all of them in the Territory.
Q What is your brother's correct name, Edmond or Edward? A Well he goes by Edmond since we children has been grown, but we used to call him Ed and Eddie for short; he goes by Edmond I suppose now.
Q Have you ever lived very far from him since you were children together? A No sir.
Q How far is the farthest you have lived from him? A About thirty miles.
Q Did you know him all the time- have you? A Yes sir.
Q Is the gentleman sitting there your brother?(Pointing to man.) A Yes sir.
Q Is he the only Ed or Edmond in your family that lives in the Cherokee Nation? A The only one I ever heard of, I think I know all the family.

No cross examination.

EDMOND FLEETWOOD, being sworn by Commissioner Needles, testified as follows:
BY MR. STANFIELD:
Q What is your name? A Edmond Fleetwood.
Q What are you, are you the Elijerry Fleetwood? A We are brothers.
Q Where were you born? A I was born in the Cherokee Nation, known as Pryor Creek to-day.
Q About how old are you? A I haven't got any, I haven't any record, and I was counting my age to about 50, but my sister she thinks me 54, and somewhere betwixt 54 and 55 is my age.
Q Were you ever recognized by the Cherokee Nation as a citizen? A Yes sir, I drew money a number of years with them.
Q Before 1880 did you drew money? A Before '80? I have got to study; I drew one time a little bread money that was paid out, ten dollars ahead, at Vinita I think. And just after '80 then we drew two small payments, one the '82 and in '86.
Q Did all of your family draw? A My entire family was recognized. Always; I drew, my wife Malinda drew.
Q Give the names of all of your children? A Clara was the eldest girl at that time, and Caroline was the next and then Sallie was next and then came in Theodore, my second wife's children, and

Thomas followed up, Cleveland, Redcloud, and any way, it-
Q Well the ones you drew for were? A Well that is about the amount of them draws, and in the last big draw I drew down to one we called Leroy, Leroy drew and some since that didn't draw; the other two little babies I never put on the roll.
Q What payment do you have reference to when you speak of the Big Draw? A It was the 265 dollars and something.
Q Did you draw at that payment? A Nosir, I didn't, but all the balance of the time I did except then.
Q DAre you on the 1880 roll? A No sir, I don't think I am.
Q Q Where were you in 1880? A I was here in Muskogee, I was in the town of Muskogee.
Q During the time that you were in Muskogee did you have property in the Cherokee Nation? A Yes sir, I had three farms, and went back to one of them and am on it yet, been there 21 years, same farm.
Q What proportion of Cherokee are you? A Well just about a half-breed, my mammie was a full blood and my father was a white man.
Q Who was your mother? A Lucinda Morgan was her maiden name.
Q She married Fleetwood? A Yes sir, Charles Fleetwood.
Q What relation was Lucinda Morgan to Hosea Morgan? A He was her father.
Q Do you have reference to Hosea Morgan Jr. or Hosea Morgan Sr.? A There was two Hosea Morgan's, I had an uncle Hosea and then I had a grandfather named Hosea, there was two of them, I had an uncle named Jerry too.
Q Were you ever called anything besides Edmond when you were aboy? A Yes sir, I was called Edmond until after I was big boy, and the town of Sallisaw where I live calls me Ed, Quesenbury and all of them people speaking to me says Howdy Ed, they don't put the Edmond to it at all; very few people call me Edmond only in relating to business, but Edmond is my right name, that is the full name.
Q Your first wife was a Cherokee by blood was she? A She was a full blood, didn't talk any English whatever.
Q What was your second wife? A She was a white woman.
Q What children have you by your second wife? A I haven't but one.
Q Is that child recognized as a citizen or not? A She drew money twice before she left me; drew money as a Cherokee by blood twice.

BY COM'RMIDDLES:

Mr. Fleetwood, on page 443, of Docket "B" of the records of the Dawes Commission is found docketed the case of Eljerry Fleetwood and others against the Cherokee Nation, application for admission to citizenship. Among the parties then applying is found the name of Eddie Fleetwood, are you the identical Eddie Fleetwood? A Yes sir, I am the man; I investigated the thing and found no other man.
Com'r, continuing: Hold on, whose name appears upon said docket as having been an applicant at that time; you are the identical man that is on that docket as Eddie Fleetwood? A Yes sir, I am, there is no other man belongs to the connection of that name.
Q Do you know a man named Johnson Fleetwood, or J.C.Johnson Fleetwood? A That must be one of brother's children.
Q Do you know Winnie Fleetwood? A Yes sir, she is my niece.
Q Do you know Roxy Fleetwood? A Yes sir, they are Aquiller's children, live here in the Creek Nation.
Q Are they related to you? A They are nephews and nieces of mine, their father was my brother.
Q Where were you born? A Born at Fryer Creek.
Q Cherokee Nation? A Yes sir.
Q Been in the Cherokee Nation all of your life? A All my life, except a here, sir.
Q Ever voted in the Cherokee Nation? A Yes sir, all my life.

sat on the last jury that was set in the Cherokee Nation.
Q Why did you ever apply to be admitted? A I was always recognized until the big payment they knocked me out about.
Q Was that the Strip payment? A Yes sir, that was my reasons for applying, because I didn't get that.

BY CALEB STARR:"

Q Do you know any one by the name of Eddie Fleetwood who was living in 1896? A Not none of my knofolks.
Q Do you know any such man? A No sir, I don't; I don't know anybody but just myself, and this brother Jerry of mine I had a talk with him and he told me that he made the mistake in the way he speaks, he has got his teeth out in front and he don't speak plain, and there's two of his own children that he hasn't got down right, he don't pronounce the names like they do at home.
Q Where is Eljerry Fleetwood? A He is living about 15 miles from where I am in Sequoyah District.
Q Has he ever appeared before the Commission as a witness? A He did one time, yes, at Muldrow, you have a written statement, copy of his statement; that is where you taken him on the roll, at Muldrow.

NORA ANN WEBSTER being sworn by Commissioner Needles testified as follows:

BY STANFIELD:

Q What is your name? A Nora Ann Webster.
Q What was your name before you were married? A Fleetwood.
Q How old are you? A I am 19, I will be 20 the 15th of this coming September.
Q What relation to you is this applicant, Edmond Fleetwood?
A Daughter.
Q This Edmond here your father? A Yes sir.
Q Do you know of any person by the name of Eddie or Edmond other than your father? A No sir.
Q Name of Fleetwood, Eddie Fleetwood? A No sir.
Q Where does your father live? A In the Cherokee Nation, at Sallisaw.
Q How long has he lived there to your knowledge? A Lived there ever since I was born, to my knowledge ever since I can remember.
Q Are you acquainted with Eljerry Fleetwood, do you know him?
A No sir.
Q Do you know what relation he bears to you from the family history do you know what relationship he bears to your father? A Yes sir.
Q What relationship? A A brother.
Q To your father? A Yes sir.

BY CALEB STARR:

Q By what name was your father generally known in 1896? A Edmond Fleetwood.
Q Did anybody call him Eddie Fleetwood in 1896? A Yes sir.

BY COMMISSIONER NEEDLES: This testimony will be made a part of the record in the original case.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this January 25, 1908.

C. R. Breckinridge.
Commissioner.

Supl. C. D.#1193.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 10, 1902.

The case of EDMOND FLEETWOOD for enrollment as a citizen by blood of the Cherokee Nation having been set for hearing on this day, the following proceedings were had before Hon. Thomas B. Needles, Commissioner:

Appearances:
Mr. W. S. Stanfield, Attorney for Applicant;
Mr. W. W. Hastings, Cherokee Representative.

Com'r Needles: Anything you desire to offer, Mr. Stanfield?

Mr. Stanfield: Nothing but the Dawes Commission records admitting Eddie Fleetwood.

Com'r Needles: Applicant presents the records of this Commission for the year 1896 as to the application of Eddie Fleetwood. A copy of said record will be made part of the record in this case.

Mr. Hastings: This includes all of the record in the matter of the application of Kijerry Fleetwood, et al., for citizenship, not only before the Commission but on appeal to United States Court and the record of that Court in that case.

Com'r Needles: Attorneys signify that they have no further testimony to offer in this case, consequently the same is closed for final decision.

---oooOOOooo---

J. O. Rossen, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rossen

Subscribed and sworn to before me this February 10, 1902.

Commissioner.

My brother Samuel is now about fifteen years of age and resides with our maternal aunt Mrs. Sarah Ward, nee Fleetwood in Sequoyah District of the Cherokee Nation and is the Samuel Meeks referred to in the petition and affidavits above mentioned. I further on oath state that I was notified in the winter of 1895 by the Cherokee authorities that I was entitled to the payment of $15.00 as a Cherokee Indian and that in pursuance of such notification I drew my said money.

(Signed) Willie Meeks.

Subscribed and sworn to before me this the 30th day of July, 1896.

(Signed) W. S. Stanfield,
Notary Public.

(SEAL.)

My Commission Expires September 17th, 1899.

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EXHIBIT 21.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, W. S. Stanfield, being first duly sworn on oath depose and say, as follows, to-wit: That I am a duly commissioned and acting Notary Public within and for the Northern District of the Indian Territory and that on the 3rd day of August, 1896. I went to the residence of Mrs. Rachel Smith for the purpose of taking her affidavit to be used in the case of Elijerry Fleetwood, I was informed before I went there that her condition was such that it was not necessary for me to go, in as much as she would not be able to give me the affidavit, I was informed by her neighbors that she had the consumption and was in the last stages and that her mind was affected. I found her to be a very old lady and lying in the corner of a room on a bed nailed to the wall and closed in with mosquito bar to keep the flies off and in such a condition as to be almost suffocated by the heat. That she was twisting and turning upon her bed and groaning and talking and muttering to her self all the time. That to me she seemed to be very low. I talked with her some but could not succeed in fastenning her mind upon a subject for any length of time. I talked with her concerning the Fleetwood case and all that I could get from her on the subject was that she could not make an affidavit now because of the condition of her mind, and that she had made a former affidavit in which she told all that she knew. Owing to her condition I did not take any affidavit from her because it would have been unintelligable, if I could have gotten at all more of over it would not have been competent testimony, her cause of her condition.

(Signed) W. S. Stanfield.

Subscribed and sworn to before me this the 17th day of Aug. 1896.

(Signed) Harry P. McCarter.
Notary Public.

(SEAL)

My Commission Expires May 11th, 1898.

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EXHIBIT 19.

UNITED STATES OF AMERICA,
NORTHERN DISTRICT, } SS.
INDIAN TERRITORY.

Be it remembered that on this the 12th day of August, 1896, personally appeared before me a Notary Public within and for District and Territory aforesaid W. S. Brown, a me personally known who after being duly sworn according to law on his oath deposes and says as follows to wit:-

That I am the husband of Martha W. Brown nee Fleetwood one of the applicant for citizenship in the Cherokee Nation, claiming her right to said citizenship through her ancestor Nancy Morgan Sr., and his descendants. That my wife Martha W. Brown is a sister of Elijerry Fleetwood and that there has been born and now living to our marriage, children of the said Martha W. Brown, viz:- Cassie Brown, a girl aged, 17 years, William D. Brown, a boy, aged 15 years, Lula J. Brown, a girl, aged 12 years, Martha Brown, a girl, aged 10 years, Myrtle Brown, a girl aged 8 years, Grover Brown, a boy, aged 4 years, Lottie Brown, a girl aged 2 years. That I am informed and verily believe that my wife's mother Lucinda Fleetwood was enrolled on the rolls of 1849 as an old settler which rolls were made for the purpose of distribution of the Cherokee funds. But that said name appears on the said roll as Lucinda Flatfoot, that her husband during his life time made an attempt to have the same corrected and to draw the said money, but owing to some difficulty that sprang up between her husband [illegible] and the pay-master who was paying out said funds the same was never corrected. And that it appears of record that the said funds belonging to the said Flatfoot (Fleetwood) have never been paid out and are remaining uncalled for to this day as will appear by reference being made to the records of said old settlers payment.

(Signed) W. S. Brown.

Subscribed and sworn to before me this 12th day of Aug. A. D. 1896.

(Signed) W. S. Stanfield,
Notary Public, My Commission Expires
September 17th, 1899.

(SEAL.)

EXHIBIT 20.

1.

UNITED STATES OF AMERICA,
INDIAN TERRITORY } SS.
NORTHERN DISTRICT.

I, Willie Hooks being first duly sworn on oath deposes and say, my name is Willie Hooks, I am 19 years of age and a Cherokee Indian by blood, my home is with my parents on my mothers side, Stanton D. C. Ft. Arbuckle, near White in the Cherokee Nation. My parents were George Hooks and Delphesy Hooks nee Fleetwood, who died when I was small, leaving but two children viz. myself and my younger brother Samuel Hooks. I am the same Willie Hooks referred to in the petition hereunto for the enrollment as Cherokee Indians of the heirs of Nancy Morgan Sr. and also referred to in the statements affidavits submitted herewith.

cont'd

EXHIBIT 17.

UNITED STATES OF AMERICA)
INDIAN TERRITORY, } SS.
NORTHERN DISTRICT.)

Be it remember that on this the 22nd day of August, A. D. 1896 personally appeared before me the undersigned Notary Public, within and for the District aforesaid, T. M. Buffington to me personally known who deposes and says as follows:- That I am a Cherokee Indian by blood and am Circuit Judge of the Cherokee Nation, of the Indian Territory. That I am well acquainted with

Watts West,
E. D. Carry
J. L. Ward, District Judge of Delaware District, Cherokee Nation Indian Territory.
Rachel Smith
Eljerry Fleetwood (Two lines in ink drawn through this name.)
Peter Wisk, (Two lines in ink drawn through this name.)
Wat son Sanders. (Two lines in ink drawn through this name.)
James Tincup
Simon Johnson (Two lines in ink drawn through this name.)
William Matoy,
Wilson Conlin (Two lines in ink drawn through this name.)

and know them to be creditable and responsible persons and that their oaths are entitled to full faith and credit. I have known these men well and intimately for a great many years and know them to be men of Honor and Integrity and that the reputation each of them bears for truth and veracity is good

(Signed) T. M. Buffington.

Subscribed and sworn to before me this the 22nd day of August, A. D. 1896.

(Signed) W. S. Stanfield,
Notary Public, My Commission Expires September 17th, 1899.

(SEAL.)

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EXHIBIT 18.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY. } SS.
NORTHERN DISTRICT.)

Be it remembered that on this the 20th day of August A. D. 1896 personally appeared before me the undersigned a Notary Public within and for the Northern District, Stephen D. C. Bimmons to me personally known who deposeth and sayeth as follows, to-wit:-

That I was personally acquainted with one Judge Chas. Wisliff during his life time and knew that he departed this life in the fall of 1895. And that he is the same Judge Chas. Wisliff who gave the above and foregoing testimony, and for this reason, to wit having departed this life, and it being impossible for me to procure any testimony, I herewith file the above and foregoing transcript of his testimony given before the Citizenship Commission at Tahlequah, Cherokee Nation, Indian Territory, September 16th, 1895.

(Signed) Stephen D. C. Simmons.

Subscribed and sworn to before me this the 20th day of August, A. D. 1896.

(Signed) W. S. Stanfield,
(SEAL.) Notary Public, My Commission Expires September 17th, 1899.

CHEROKEE NATION.)
DELAWARE DISTRICT.)

Wilson, a Cherokee Indian of lawful age resident of Delaware District, C. N., who after being duly sworn according to law, States that he (Wilson) married the mother of Lafayette Teel and Steve Edwards in 1860 or thereabouts, that she (the mother, Minerva Fleetwood) had these two children at the time he married her, that Lafayette Teel was about two years old then, and Steve Edwards a little older, that his wife (Minerva) claimed the two boys as brothers, and he never heard it denied. I lived with her about ten years, and she kept the boys until her death always claiming them as her son's. And further Deponent saith not

his
(Signed) Wilson X or Wee-lee-see-see
mark

Witness to mark.
J. L. Ward.

The above named (Wilson) personally appeared and made oath that the foregoing declaration by him subscribed is true. Before me
(Signed) J. L. Ward,
Judge Del. Dist. C. N.

over.

Attest this 28th day of July, A. D. 1888.
(Signed) P. L. Walker, Depty Clerk
(SEAL) Del. Dist. C. N.

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EXHIBIT 16.

CHEROKEE NATION.)
DELAWARE DISTRICT, I.T.)

Personally come before me the undersigned authority, Simon Johnson who after being duly sworn states as follows: I live in Delaware District, Cherokee Nation, Indian Territory and have been acquainted with Lafayette Teel about 23 years. When I first got acquainted with Teel he lived here in the Nation and was recognized as an Indian & no effort all this time has ever been made to put him out, as is done with people who are non citizens. During this time I have known Lafayette Teel to vote at elections without challenge, to serve as guard to posse for Sheriff, to make improvements and sell the same and the title was considered good as emanating from a citizen of the Cherokee Government. And I from all these facts firmly believe him to be a Cherokee Indian As I am a full blood Indian & cannot understand the English Language. But have had this matter thoroughly explained through an Interpreter & I hereby subscribe to the above statement.
(Signed) Simon Johnson.

Subscribed & Sworn to before me on this the 29th day of April A. D. 1890.
(Signed) J. L. Ward,
Judge Delaware District,
Cherokee Nation, I. T.

Endorsements: Vol. 8. Affidavit of Simon Johnson. 8. Indian Office Files. Encls. No. 20. Lafe. Minerva Fleetwood.

Wilson Conklin and a daughter of Lucinda Fleetwood. They lived in this neighborhood or the locality. I live in ever since I first knew them. I live in Delaware District, Cherokee Nation, Indian Territory. And further Deponent saith not.

his
(Signed) Watson X Sanders.
mark.

Subscribed and sworn to before me on this the 27th day of April A. D. 1888.

(Signed) J. L. Ward,
Judge Delaware Dist. Cher. Nation.

EXHIBIT 14.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

April 24th A. D. 1888.

CHEROKEE NATION)
DELAWARE DISTRICT.)

Personally come before me the undersigned authority Wilson Conklin who after being duly sworn states as follows: I was husband to the mother of Lafayette Teel and she was a daughter of Lucinda Fleetwood. I married Lafayette Teel's mother when Lafayette was about four years old. I never heard of her being anything but a Cherokee Indian. I am a full blood Cherokee and cannot talk the English language nor understand it, and my wife (Teel's mother) spoke the Cherokee Language. Of Teel to anything else but a Cherokee Indian I have never known it. I have heard that Teel's Indian Blood was disputed but have allways thought it was the work of enemies to injure and throw a shaw upon the family. I have known the family about 29 years & just now and then or at rare intervals this dispute as to their origin would spring up. So far as my knowledge goes I believe they are Cherokee Indians the same as I am. Further deponent saith not.

(Signed) Wilson Conklin.

Sworn & Subscribed to before me on the day and date above written.

(Signed) J. L. Ward,
Judge Del. Dist, Cher. Nation.

Endorsements on Back:
"Affidavit of Wilson Conklin. 7908. F 31108 Indian Office, Inclos. No. 2. 1894. Nancy Fleetwood, Affidavit of Wilson. No. 10."

EXHIBIT 15.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

Indian Prairie,
Maysville, I. T., 1888.

-35-

Subscribed and sworn to before me on this the 26th day of April A. D., 1889.

(Signed) J. L. Ward, Judge Del. Dist. C. N.

EXHIBIT 12.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

Maysville, I. T., July 27th, A. D., 1888.

CHEROKEE NATION.)
DELAWARE DISTRICT.) SS.

Peter Nick of lawful age resident of Delaware district Cherokee Nation after being duly sworn states as follows, to-wit: I have known S. D. C. Edwards and Lafayette Teel since we were boys together and never knew or heard other than that they were brothers. I have known them about 20 or 25 years, the said mother acknowledged both as her children. The boys (S. D. C. Edwards and Lafayette Teel) always called her mother. I was raised up with them. Their mother's name was Minerva Wilson at the time I first became acquainted with them. Further deponent saith not.

his
(Signed) Peter X Nick.
mark.

Witness to mark:
S. D. C. Edwards.

The above named (Peter Nick) personally appeared and made oath that the foregoing declaration by him subscribed is true. Before me: (Signed) J. L. Ward.
Judge Del. Dist. C. N.

Attest this 28th day of July A. D., 1888.
(Signed) P. L. Walker, Deputy Clerk Del. Dist. C. N.

OFFICE OF J. L. WARD.
Judge Delaware District, Cherokee Nation, I. T.

EXHIBIT 13.

April 27th A. D., 1889.

CHEROKEE NATION.)
DELAWARE DISTRICT.)

Personally appeared before me the undersigned authority Rebecca Sanders who after being duly sworn states as follows: I have been acquainted with Lafayette Teel about 20 odd years, and never knew him to be other than a Cherokee Indian. He enjoyed all the rights of other Cherokees. He voted at elections without challenge, served on Juries, served as guard at Sheriff's Posse, could at any time sheriff in serving summons, and was generally counted as a reputable & reliable citizen. Lafayette Teel's mother was the wife of

EXHIBIT 10.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, J. L. Ward of lawful age after being duly sworn on oath depose and say as follows, to-wit:- I am fifty one years old and resident of Delaware District, Cherokee Nation. I have been acquainted with Rachel Smith for about twenty eight years and have lived about six or seven miles apart and I never heard anything derogatory to her character. She is a very old lady. I further depose and say that at the request of Lucinda Fleetwood I wrote to the Department at Washington City, D. C., for information as to whether Hosia Morgan was shipped here as a slave or as an Indian and in reply the Department sent me a portion of the rolls showing the name of Hosia Morgan and others who were brought here under J. W. Harris. The Department also sent me a letter stating that there was abundant evidence there showing that Hosia Morgan was a recognized citizen and held property in the old Nation in what is now North Carolina, Georgia, Tennessee and part of Alabama.

(Signed) J. L. Ward.

Subscribed and sworn to before me this the 3rd day of August, 1896. And I further certify that I erased the word "years" before the affiant signed and swore to the above affidavit.

(Signed) W. S. Stanfield,
Notary Public, My Commission expires
September 16th, 1899.

(SEAL)

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

CHEROKEE NATION)
DELAWARE DISTRICT)

EXHIBIT 11.

April 24th, A. D., 1880.

Personally appeared before me the undersigned authority Jesse Vinson who after being duly sworn states as follows. I am a citizen of the Cherokee Nation of lawful age and have been acquainted with Lucinda Fleetwood, the Grandmother of Lafayette Teal, have known Teal and his mother about 22 years. Lafayette Teal's mother and Grandmother all lived together. I first knew them and Lafayette's mother was the wife of Wilson Grimlin who had at that time two other children older than Lafayette that was the issue of a former marriage. Teal must have been 8 or 9 years of age when I first saw them. Their Indian blood was questioned at times, but they were recognized as Citizens. Lafayette afterward served on Juries, voted as Deputy Sheriff, passed and so. I believe it a malicious accusation to defame the character of the family by base designing persons that this report was circulated. Edmond Fleetwood an uncle of Lafayette never has been disputed as a Cherokee and received his per capita votes and is identified in every respect not only as a Cherokee but as a citizen. Lafayette voted in our elections and was not questioned as to his right to vote as other Cherokees. I further depose saith not.

(Signed) Jesse Vinson.

-12-

Sworn and subscribed to before me W. L. Grazier N. P. this the 16 day of August, 1896. My term expires Jan 20, 1897. (SEAL)

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EXHIBIT 9.

UNITED STATES OF AMERICA,)
: SS.
WESTERN DISTRICT OF ARKANSAS.)

In the case of Martha W. Brown claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me William W. Rasmus, a Commissioner U. S. Dist. Court, within and for the District aforenamed duly authorized to administer oaths William Matoy to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is William Matoy, my age is about 70 years, my post office is Southwest City, Mo., I am a farmer by occupation, I am a citizen of the Cherokee Nation.

And affiant declares in relation to the abovenamed case as follows, to-wit: I was personally well acquainted with Hoseah Morgan, Sr. Decd. and his family in the old Cherokee Nation East, on Hockly river, what is now Cherokee County North Carolina, for some time prior and up to the year 1834. Said Hoseah Morgan Sr. Decd. was there known, and acknowledged to be a Cherokee Indian by blood, and from his personal appearance judged him to be such, the same as many other other well known Cherokees. That he does not now remember the name of said Hoseah Morgan's wife; that he was intimately well acquainted with three of their children, one called Lucinda Morgan, a girl, one called Frankie Morgan, a girl, one called Hoseah Morgan, a boy, that his home was then only about two hundred or three hundred yards from the residence of said Hoseah Morgan Sr. Decd. That he has information the said child Lucinda Morgan married a man named Charles Fleetwood, and that the claimant, Martha W. Brown, nee Martha W. Fleetwood is the daughter of said Lucinda Fleetwood, nee Lucinda Morgan. That said Hoseah Morgan Sr. Decd. with his family was enrolled by the United States Government as Cherokee Indians, in the old Cherokee Nation aforenamed, and were in a detachment of about four hundred (400) Cherokees by the U. S. Government removed to the Indian Territory.

his
(Signed) William X Matoy
mark.

Attest mark
Edward Byrd.
B. O. Chenaley

Subscribed and sworn to before me at Tahlequah Ind. Terry. this seventeenth day of November A. D., 1894.

(Signed) W. W. Rasmus,
United States Commissioner.

(SEAL) O. K.

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EXHIBIT 7.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT)

I, James C. Childers being first duly sworn on oath depose and say my name is James C. Childers, I am 46 years of age and reside in the Seneca Indian Reservation in the Northern District of the Indian Territory. I lived with my parents before the late war in the state of Missouri about eighty rods from the Indian Territory line and I have a distinct recollection of many of our neighbors, among whom were Charles Fleetwood and his wife, Lucinda Fleetwood, and their children. The Fleetwood's lived in the Indian Territory about twelve miles from my father's home and I was well acquainted with them. The father and mother were Charles and Lucinda and they lived together as husband and wife and their children were Minerva, a girl who was married and a number of other children among them were Miles, Edmond, Quilla, Newsten, Perry, (Mayberry,) Sarah, Delphemy, and possible one or two others whose names I have forgotten. About the year 1872 I became acquainted with Stephen D. C. Edwards and was told by the said Lucinda Fleetwood that he, the said Edwards was the son of the daughter of Lucinda and Charles Fleetwood, to)wit: the son of Minerva Fleetwood who had married a man by the name of Edwards, Several of the other Fleetwood children also told me that said Stephen D. C. Edwards was Minerva's child.

(Signed) James C. Childers.

Subscribed and sworn to before me this 29th day of July, 1896.

(Signed) Harry E. Don-Carlos.

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

EXHIBIT 8.

Northern Judicial Division; Delaware District, C. N.

Personaly appeared before me, N. L. Crumley, a Notary Public, Nancy Star, being sworn according to law makes oath to the following statement: I am a Cherokee by blood. My present age is 90 years old. I am a citizen by blood and a resident of the Cherokee Nation. I was Well acquainted with Lucinda Morgan in the old Nation; I lived Near Neighbors to her in the old Nation. I know that she is a Cherokee by blood; her mother was an Indian; she was my aunt; she was my father's sister. My father's name was Wah chee nah. I was acquainted with Lucy's mother. Her name was called Anne. Anne husband name was Jessee. They came to the Cherokee Nation together. The mother of the claimant was a Full blood Cherokee Indian. The affiant further states under oath that she has no interest direct or indirect in the prosecution of the claim. Her

(Signed) Nancy X Star.
mark

Witness:
C. M. Bruner, N. D.

His wife and her son Stephen D. C. Edwards lived at my house for some time. While she was living at my house she had born to her another boy as she told me by her second marriage to a man by the name of Teel. That the said child was named Lafayette Teel and as I understood he, Lafayette Teel, was and is a half brother to Stephen D. C. Edwards.

his
(Signed) E. D. X Carey
mark.

Witness mark:
Stephen D. C. Edwards.

Subscribed and sworn to before me this the 31st day of July, 1895. And I certify that the erasures of the words "Teel", "Teel" "here to her" and the interlining of the words "Fleetwood" and "here" were made by myself prior to the signing by the affiant and that I made the affiant acquainted with the contents thereof before he signed the above affidavit.

(Signed) W. S. Stanfield
Notary Public, My Commission expires September 17th, 1899.

(SEAL)

EXHIBIT 6.

UNITED STATES OF AMERICA }
INDIAN TERRITORY : ss.
NORTHERN DISTRICT. }

I, Walter A. West, being first duly sworn on oath depose and say my name is Walter A. West my age is fifty five years I am a Cherokee Indian by blood and reside in the Cherokee Nation, where have reside all my life except during the late war. When a small child I became acquainted with Charles and Lucinda Fleetwood, they were husband and wife and in about the year 1851 resided with their children about seven miles East of the Saline Works in what is now Saline District of the Cherokee Nation. Charles and Lucinda Fleetwood were the parents of a large family of children consisting of Minerva, Lorenzo, Miles, Charles, William and Edmond and possible others than I have forgotten. I lived about five hundred yards from this family at the time above mentioned and my acquaintance continued with said family until the breaking out of the war, when I left the Cherokee Nation.

(Signed) Walter A. West.

Subscribed and sworn to before me this the 30th day of July, 1895.

(Signed) Harry T. DeCarlos.
(SEAL) Notary Public, My Commission Expires May 11th, 1900.

The following endorsements on back of Exhibit "6".

Liberty Fleetwood } Affidavit of Walter A. West.

UNITED STATES OF AMERICA.)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT)

I, William Maoty, of lawful age after being duly sworn on oath depose and say as follows, to-wit:- That I am about eighty years old and live in the Cherokee Nation, Delaware District and my Post office is South West City, Mo. I am a Cherokee Indian by blood and recognized as such.

That I lived in the old Nation, now in the State of North Carolina and that while I lived there I was acquainted with Hosia Morgan Sr. and went to school with his children in the old Nation. That he had a child by the name of Lucinda Morgan. That they moved from the old Nation to the Cherokee Nation, with the emigrants under J. W. Harris, about 1834. That I did not come to the Cherokee Nation for some time after this, about 1873, and when I came to the Cherokee Nation I found the above mentioned Lucinda Morgan here in the Indian Territory, Delaware District, in about four or five miles of Fayetville, Ark. She represented to me that she was a widow having married a man by the name of Fleetwood, and he having died.

his
(Signed) William X Maoty.
mark.

Witness
(Signed in Cherokee)

Subscribed and sworn to before me this the 1st day of August, 1896, and I hereby certify that I erased the words "That" and was and inserted the words "now" and "for" before the affiant signed and swore to the same, and that I made the affiant acquainted with the contents thereof prior to his signing the same.

(Signed) W. S. Stanfield.
Notary Public. My Commission Expires September 17th, 1899.

(SEAL)

EXHIBIT "B"

UNITED STATES OF AMERICA)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, E. D. Carey, of lawful age after being duly sworn on oath deposes and says, that I am sixty-four years past. That I live on Grand River at Carey's Ferry in the Indian Territory. I have resided in the Cherokee Nation for about sixty-one years that I was about three years old when my parents moved here from North Carolina in the old Nation. I am a recognized Cherokee Indian by blood. I knew Charles and Lucinda Fleetwood who lived together as husband and wife about the year 1854 near Carey's ferry. That they had quite a large family of children but do not know the names of them all. Those that I do remember were named, Monerva, Lurenna, Charley, William, Miles, Pit and Houston, and other that I cannot remember now. That Monerva Fleetwood afterwards lived with a man by the name of Edwards as husband and wife and that there was born to them one child by the name of Stephen D. C. Edwards. That it was reported that the husband of Monerva Edwards, nee Fleetwood, died some after the birth of Stephens D. C. Edwards. After his death

Teel have known him all his life. I know that he is a descendant of Hosea Morgan through his mother. His mother, Minerva Teel, nee Fleetwood, being the daughter of Rachel Fleetwood, nee Morgan. My old schoolmate the daughter of Hosea Morgan. They have always been considered citizens and have enjoyed and exercised the rights of citizenship all the time. Minerva Teel the granddaughter of Hosea Morgan has three children, Lafayette Teel is the youngest, of the family.

her
(Signed) Rachel X Smith.
mark.

Witness:
W. S. Bartlett.

I hereby certify that the above affidavits were taken before me at my office in Fort Smith, Ark., through Stephen Edwards, an interpreter, who was first duly sworn and were subscribed and sworn to before me this 27th day of July, A. D., 1896.

(Signed) W. S. Bartlett,
Notary Public.

(SEAL)

STATE OF ARKANSAS,)
: FORT SMITH DISTRICT.
COUNTY OF SEBASTIAN :

I, J. P. Durden, Clerk of the Circuit court within and for said country of Sebastian, do hereby certify that W. S. Bartlett whose signature appears to the foregoing instrument of writing, is, and was on the 27 & 28th days of July, 1896, an acting and duly commissioned Notary Public within and for the county aforesaid, that his official acts are entitled to full faith and credit, and that his signature is genuine, as I verily believe.

IN TESTIMONY WHEREOF, I have hereunto set my hand as such clerk and affixed the seal of said court at my office this 28th day of August, 1896.

(Signed) J. P. Durden, Clerk.
By Edgar L. Stegall, D. C.

(SEAL)

Endorsements on back of Exhibit "J" are as follows:

Affidavits of Nathaniel Fish and Mrs. Rachel Smith,
in Re Lafayette Teel.
C

[illegible] COURT
[illegible], 1896.
Docket No. 6.
Kinney Fleetwood
vs.
No. 10.

EXHIBIT "J"

Sworn to and subscribed before me this Sept. 15th, 1894.

John L. Adair,
Clerk Com.

EXECUTIVE DEPARTMENT, C. N.
Aug. 9th, 1895.

I hereby certify that the three foregoing pages of manuscript is a true copy of the original.

(Signed) W. H. Hayes,
Asst. Executive Secty.

(SEAL)

EXHIBIT "3"

Affidavit of Nathaniel Fish in re Lafayette Teel.

My name is Nathaniel Fish; I am about 86 years of age. I am a member of the Cherokee tribe of Indians. I was born in the State of Georgia about thirty miles from North Carolina. I lived there until after I was married. I was removed from there in 1838, and brought into the Cherokee Nation, I. T. I have lived in the Nation ever since. I was acquainted with Hosea Morgan while I was living in Georgia. I was well acquainted with him while there; that I never saw him after about 1836. I was acquainted with his children while there. I have known and seen his descendants ever since I have been here. I know that they were always known and recognised as Cherokees. I know Lafayette Teel. I have known of him all his life. I know that he is a descendant of Hosea Morgan. His mother Minerva Teel, nee Fleetwood, was the daughter of Lucinda Fleetwood, nee Morgan, the daughter of Hosea Morgan. These descendants have always been considered and recognized as citizens of the Cherokee Nation. They have always enjoyed and exercised all the rights of citizenship. During many years I lived as near neighbors to them being only about 16 miles apart with the same churches an & schools. I know that they were considered Cherokees and not Catawbas.

(Signed) Nathaniel Fish.

AFFIDAVIT OF MRS. RACHEL SMITH.

My name is Rachel Smith. I am about 75 or 76 years of age. I was born in Georgia. My maiden name was Rachel Duffington. I was removed to the Cherokee Nation in about 1837. I was acquainted with the children of Hosea Morgan. I attended school with three of them at Jones' Mission there. When my father, Charles Duffington, moved to the Mission he bought the place of Hosea Morgan. Hosea Morgan and his family were considered Indians and enjoyed and exercised the rights of citizenship there. I have been acquainted with his descendants ever since I have been here in the Nation, having lived as neighbors with them during that time and the families living only about 8 miles apart. I am well acquainted with Lafayette

Endorsements on back of Exhibit "1" are as follows:

7108.

Affidavit of Lucinda Fleetwood

INDIAN OFFICE
Sept 8 1894
Inclos. No. 2.

Mijercy Fleetwood

Affidavit

of

Lucinda Fleetwood

C. N.

No. 12.

---oOo---

COMMISSION ON CITIZENSHIP.

Tahlequah, Cher. Nat.

Sept. 15th, 1894.

LUCY FLEETWOOD }
vs. : EXHIBIT "2".
CHEROKEE NATION }

Judge Chas. Vickliffe introduced and sworn testifies as follows: I am acquinted with Lucy Fleetwood, the Claimant. I first knew her in North Carolina. I went to school together there. The school we went to was the Valley Town Mission. I knew her father Hosa Morgan. I knew her mother Amoo. Hosa Morgan's Cherokee name was Gunsee (Buffalo). He left North Carolina in 1835, and came to Calhoun. He had three boys and five girls, eight children in all. The Morgan family was called Cherokees by some people, and Catawbas by others. Hosa, or Amoo, talked Cherokee a little. No one at that time disputed that they were Cherokees. They lived in the Cherokee Nation and owned an improvement. I live in Saline District. My age is 68 years.

The school, Valley Town Mission, where I and Lucy Fleetwood went to, was entirely of Cherokee children. I do not know Hosa Morgan, or his wife as to their Cherokee blood. It is my opinion of her looks, and general features, I judge the claimant to be Cherokee. Her father Hosa Morgan had long hair, and looked like a full Cherokee. His hair was straight and did not look like it was mixed with anything. Amoo wife of Hosa Morgan had curly hair somewhat like she mixed. They did not come at time of the general emigration. They came to this country in 1854 - after they came I saw Lucy, the claimant, several times. They lived in Delaware District.

(Signed) Charles Vicklliffe.

Sworn

and mother. We lived between Valley River and little Nimrasee River in Tuce-ee District and went to school at Jones' Mission. We enrolled under Major R. J. Curry, United States enrolling officer, and he delivered us to Lieutenant Harris at Calhoun where we took water in Boats in Flat Bottom Boats and came to Water-loo-- where we took steam boats and came 60 miles above Little Rock at a place called Burnt Cabins--from there we traveld to Fort Gibson in Government wagon's. My father died at Burnt Cabins and John Miller took charge of the Family and brought us on. He attended to the drawing of Rations and supplies as furnished by the government for use of the family. I have lived in the Cherokee Nation ever since with the exception of 6 years when I was first married. I married a soldier at Fort Gibson and went to Leavenworth untill my husband served out two terms or 6 years and I came right back again to the Cherokee Nation. From this marriage resulted the following children

Minerva was the oldest, aged, borned Nov. 10th, 1836.

Lorenzo	Leonard	May 1st,	1837.
Charles	"	Feb. 15	1839.
William	"	Oct. 27,	1840.
Miles	"	Aug. 15,	1842
Peura	"	Aug 24,	1844.
Edmund	"	Feb. 6	1846
Lucretia	"	May 31	1848
Delphiney	"	April 22,	1850.
Sarah	"	April 20,	1852.
Aquilla	"	June 26,	1854.
Mahjerry	"	April 24,	1856.
Martha Ann	"	May 11,	1858
Lucinda	"	April,	1861.

Of the above named children Minerva, Lorenzo, William, Charles, Aquilla, Delphiney, and Lucinda are dead, and to my daughter Minerva were born Hathaway Teel, Steve Edmund and Lucy Tinsup. And to my son Aquilla four children were born. Their names are Johnnie, Arizona, Lucile and Orlando Fleetwood.

To my daughter Peura were born Jim Go--- Eddie Johnson. This is as far as I kn--

I have always been recognized as a Cherokee ever since I can recollect untill within the last few years. I went to a school where no one was allowed to go to except but Cherokees, have exercised all the priveledges guaranteed to Cherokees until recently. Bought and sold improvements and made improvements on the public domain, and the purchase and sale was always considered valid. My self & voted at Elections without a challenge, in fact, I have never been any other place as Home. I never recognized any other place as such and have always believed myself a Cherokee Indian and never knew a doubt existed otherwise untill this matter got up. No further deponent saith not.

(Signed) Lucinda Fleetwood.

Sworn to before me on this the 30th day of June A. D. 1887.

(Signed) J. L. Ward,
Judge 3rd. Dist. C.N.

P.S.—this certifies that I have known affiant for years and never knew or heard anything against her character.

(Signed) J. L. Ward, J. D. D. C. N.

over

Attest this 2nd day of July, 1887.

(Signed) F. L. Walker, Deputy
Clerk Del. Dist. C. N.

(Seal)

LaFayette Teel,	(38)	[illegible] Half Brother,
Willi Meeks,	(17)	Maternal Cousin,
Samuel Meeks,	(15)	Maternal Cousin.
Andrew Palmore,	(21)	Maternal Cousin.
Susan Palmore,	(19)	Maternal Cousin.
Grover Cleveland Ward,	(12)	Maternal Cousin.
.....Ward, (son)	(10)	Maternal Cousin.
.....Ward, (son)	(8)	Maternal Cousin.
Johnnie Fleetwood,	(18)	Maternal Cousin.
Roxie Fleetwood,	(16)	Maternal Cousin.
Minnie Fleetwood,	(15)	Maternal Cousin.
Arizona Fleetwood,	(12)	Maternal Cousin.
Zelma Fleetwood,	(9)	Maternal Cousin.
Willie Fleetwood,	(6)	Maternal Cousin.
Luvena Fleetwood	(4)	Maternal Cousin.
Juley Fleetwood,	(2)	Maternal Cousin.
Cassie Brown,	(17)	Maternal Cousin.
William D. Brown,	(14)	Maternal Cousin.
Loelie I. Brown,	(12)	Maternal Cousin.
Martha Brown,	(10)	Maternal Cousin.
Myrtle Brown	(8)	Maternal Cousin.
Grover Brown,	(6)	Maternal Cousin.
Lottie Brown,	(2)	Maternal Cousin
Zelma Edwards,	(13)	Daughter,
Stephen Edwards,	(11)	Son,
Emma Edwards,	(7)	Daughter,
Minerva Jane Bowell,	(17)	Daughter of Maternal Half Bro
Carrie Ann Teel,	(14)	Daughter of Maternal Half Bro
William LaFayette Teel,	(20)	Son of Maternal Half Brother.
John Hugh Teel,	(8)	Son of Maternal Half Brother.
Mannie Teel,	(1)	Daughter of Maternal Half Bro

Wherefore your petitioners pray that their names be placed upon the revised roll of Cherokee Indians and that they be admitted to membership in the Cherokee Nation of Indians, and that they be accorded all of the rights, privileges, benefits and immunities accorded to any other member of the Cherokee Nation.

(Signed) Stephen D. E. Edwards.

Subscribed and sworn to before me this the 6th day of Sept. 1896.

(Signed) Henry H. [illegible]

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: SEAL :
o-o-o-o-o-o

Notary Public, My Commission Expires May 12th, 1900.

EXHIBIT "L."

STATE OF [illegible]

June 10th, A. D., 1896.

Personally came before me, L. F. Ward, Judge of the District and Nation aforesaid, at my office on [illegible] and [illegible] Lemuel Fleetwood of lawful age, who after being duly sworn deposeth

The certified copy of the Common Law Record No. 27 of the Court of the United States within and for the Western District of Arkansas showing the trial of Stephen D. C. Edwards and the verdict of the Jury that, that Court had no jurisdiction. . . .
marked Exhibit "D"

The certified copy a portion of the Record in the office of Indian Affiars in the Department of the Interior of the United States of America at Washington, D. C., showing an excerpt copy of one of the Cherokee Record Books that shows the agreement of Hoseah Morgan Sr., to remove and settle with his family on the land provided for the Nation West of the Mississippi, on condition that he be paid by the United States for his abandoned improvements, ...
marked Exhibit "E."

The certified copy of a portion of the Record in the office of Indian Affairs in the Department of the Interior of the United States at Washington, D. C., showing the improvements of Hosea Morgan near the Missionary on the High Wassa River and the value of the same, ...
marked Exhibit "F."

The certified copy of a portion of the Record in the office of Indian Affairs in the Department of the Interior of the United States at Washington, D. C., showing that Hosia Morgan Sr. was the head of a Cherokee family of ten persons who started from the Cherokee Agency East on the 14th day of March 1834, in Company of a number of other Cherokee Indians under the direction of Lieut. J. W. Harris for a removal West of the River Mississippi, ...
marked Exhibit "G."

Your petitioners make reference to and part hereof the different rolls of Cherokee Indian Citizens which your petitioners believe will disclose the names of a number of your petitioners. Your petitioners make particular reference to and part hereof the rolls of Cherokee Citizens taken prior to the time of the removal of the said Hosia Morgan Sr., to-wit:-Prior to the 14th day of March 1834 which your petitioners believe contains the name of Hosia Morgan Sr., an ancestor of your petitioners.

That none of your petitioners have ever taken any allotment of land or other property nor have any of your petitioners ever violated the treaty laws or treaties existing between the United States and the Cherokee Nation. That none of your petitioners have ever become a member or Citizen of any other Tribe, State, Nation or Government.

The names and ages of your petitioners and the relation they bear to your petitioner verifying this application are as following,-

Names	Ages	Relationship to Petitioner.
Stephen D. C. Edwards,	(31)	Affiant,
Elijerry Fleetwood,	(40)	Maternal Uncle.
Sarah Ward,	(44)	Maternal Aunt.
Martha W. Boggs,	(38)	Maternal Aunt,

Come now the above named petitioners in person and by their attorneys Dan-Carlos and Stanfield and make this their application and petition to this Honorable Commission for the purpose of being placed on the revised roll of the Cherokee Indians and of those Cherokee Indians entitled to share in the distribution of funds and allotments of land and other property in the Cherokee Nation by virtue of their Cherokee blood and extraction, and herewith submit the evidence hereto attached and made part hereof, to-wit:-

The affidavit of Lucinda Fleetwood,	Marked Exhibit,	1.
The affidavit of Charles Wiekliffe,	marked Exhibit,	2.
The affidavit of Nathanial Fish,	marked Exhibit,	3.
The affidavit of Rachel Smith,	marked Exhibit,	3.
The affidavit of William Matoy,	marked Exhibit,	4.
The affidavit of E. D. Carey,	marked Exhibit,	5.
The affidavit of Walter A. West,	marked Exhibit,	6.
The affidavit of James C. Childers,	marked Exhibit,	7.
The affidavit of Nancy Star,	marked Exhibit,	8.
The affidavit of William Matoy,	marked Exhibit,	9.
The affidavit of J. B. Ward,	marked Exhibit,	10.
The affidavit of James Tincup,	marked Exhibit,	11.
The affidavit of Peter Nick,	marked Exhibit,	12.
The affidavit of Watson Sanders,	marked Exhibit,	13.
The affidavit of Wilson Cimlin,	marked Exhibit,	14.
The affidavit of Wilson or Wm. Lee-sumee,	marked Exhibit,	15.
The affidavit of Simon Johnson,	marked Exhibit,	16.
The affidavit of T. M. Buffington,	marked Exhibit,	17.
The affidavit of Stephen D.C.Edwards,	marked Exhibit,	18.
The affidavit of W. C. Brewe,	marked Exhibit,	19.
The affidavit of Willie Meeks,	marked Exhibit,	20.
The affidavit of W. S. Stanfield,	marked Exhibit,	21.
The affidavit of Elijerry Fleetwood,	marked Exhibit,	22.
The affidavit of John W. Webb,	marked Exhibit,	23.
The affidavit of Stephen D.C.Edwards,	marked Exhibit,	24.
The affidavit of William C. Woodall,	marked Exhibit,	25.
The affidavit of LaFayette Teel,	marked Exhibit,	26.
The affidavit of W. C. Woodall,	marked Exhibit,	27.
" " " Stephen D.C.Edwards,	" "	28.
" " " J. A. Deshazo,	" "	29.

Your petitioners in further support of this application make reference to and part hereof the documentary evidence hereto attached, to-wit:-

The Administrator's Bond of Lucinda Fleetwood to the Judge of the District Court of Delaware District of the Cherokee Nation. . . . . marked Exhibit "A."

The certified copy of the Marriage Record of Delaware District of the Cherokee Nation showing the grant of a license to a Citizen of the United States to marry Sarah Fleetwood, a Citizen of the Cherokee Nation, . marked Exhibit "B."

The certified copy of the Jury Record of Delaware District of the Cherokee Nation showing LaFayette Teel was summoned as a Juror in a Cherokee Court, . marked Exhibit "C."

EXHIBIT 25.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY. : SS.
NORTHERN DISTRICT.)

I, William C. Woodall being first duly sworn on oath state, My name is William C. Woodall, I am a half blood Cherokee Indian and speak and understand the Cherokee language. I am well acquainted with Stephen D. C. Edwards and LaFayette Teel of Vinita, Ind Ter. and know that they both speak and understand the Cherokee language for I have talked with them and heard them talk in that language.

(Signed) William C. Woodall.

Subscribed and sworn to before me this 30th day of July, 1896.
(Signed) Harry E. Don-Carlos.

(SEAL)
Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT 26.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY : SS.
NORTHERN DISTRICT.)

I, LaFayette Teel, being first duly sworn on oath depose and say that my name is LaFayette Teel, my post office is Vinita Indian Territory. I was born in Delaware District Cherokee Nation on the 25th day of May 1858, and am a Cherokee Indian by blood. I have lived all of my life in the Cherokee Nation and my mother was born here before me. I am the son of Minerva Teel who was the wife of Abrahnm Edwards before she married my father and my mothers son Stephen D. C. Edwards and I are half brothers. My mothers maiden name was Minerva Fleetwood and she was a sister of Kilberry Fleetwood who has filed an affidavit in this case and in whose name our application for enrollment on the Cherokee Indian Citizenship rolls is being prosecuted. My mother died on or about the year 1869. I was well acquainted with my maternal grand mother Lucindia Fleetwood, here in this Nation and have heard her state many times that she was a daughter of Hosia Morgan Sr., whose name appears upon the muster rolls of a Company of Cherokee Indians who started in 1834 for the Cherokee Nation west of the Mississippi River under the direction of Lieutenant J. W. Harris. I have also heard my grand mother the said Lucindia Fleetwood state that Minerva, (my mother) Lorenzo, Charles, William, Miles, Prura, Edmond, Austin, Delphony, Sarah, Quilla, Martha W., Lucindia and Kilberry Fleetwood were her children. I was present when my said grand mother Lucindia Fleetwood made the affidavit marked exhibit 1 which is herewith attached and know that the same was carefully read over to her and that she fully understood the contents thereof before executing the same, and that at said time my said grand mother was in possession of all her mental faculties and fully understood what she was swearing to.

I further on oath state that from my earliest childhood I have talked the Cherokee language and that my mother and my maternal grand mother talked the Cherokee language. That I have acted as interpreter to translate into English the Cherokee language in the

EXHIBIT 22.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, Elijerry Fleetwood, being first duly sworn on oath depose and say my name is Elijerry Fleetwood, my post office is Ramy, Ind. Ter., my age is forty years. I am a son of Charles and Lucinda Fleetwood. My mother's maiden name was Lucinda Morgan and she was a daughter of Hosia Morgan, Sr. Said Hosia Morgan Sr. being the Hosia Morgan Sr. who was one "of a company of Cherokees who set out from the Cherokee agency East on the 16th day of March, 1838 under the direction of Lieutenant J. W. Harris for a removal West of the River Mississippi" as will more fully appear by the official report of said removal on file in the Department of the Interior at Washington, D. C. I further on oath state that my brothers and sisters names are as follows, with their ages as nearly as I can give them, to-wit:

Minerva,	a girl	born about	1835
Lorenzo,	a boy	" "	1837
Charles	" "	" "	1839
William	" "	" "	1840
Miles	" "	" "	1842
Prura	" girl	" "	1844
Edmond	" boy	" "	1846
Newston	" "	" "	1848
Delphemy	" girl	" "	1850
Sarah	" "	" "	1852
Quilla	" boy	" "	1854
Martha W.	girl	" "	1858
Lucinda	a girl	" "	1861.

That my said sister Minerva married a man by the name of Abraham Edwards about the year 1853 and to whom was born one son viz. Stephen D. C. Edwards about the year 1856. That my said sister Minerva was married again in about the year 1857 to a man by the name of John Teel, and to whom was born one son viz. LaFayette Teel about the year, 1858. I further depose and say that I and all of my brothers and sisters were born and raised in the Cherokee Nation of the Indian Territory. And that all of said brothers and sisters including myself that are now living reside and always have resided in said Cherokee Nation. That my said sister Delphemy married a man by the name of George Meeks about the year 1877 and to whom were born two sons viz. Willis Meeks about the year 1879 and Samuel Meeks about the year 1881 and that my said last named sister departed this life about the year 1881.

That my said sister Sarah married a man by the name of R. P. Palmore about the year 1874 and to whom was born one son viz. Andrew Palmore, about the year 1875. That my said sister Sarah was married again in about the year 1881 to a man by the name of Jerry Ward and to whom were born several children the names and ages of whom I am unable to give. That my said brother Quilla married a woman by the name of Lurinda Meeks about the year 1876 and to whom were born four children viz, Jennie Fleetwood, a son aged about eighteen years, Ramie Fleetwood a girl aged about sixteen years, Minnie Fleetwood a girl aged about thirteen years and Arizona Fleetwood a girl aged about twelve years. That my said brother Quilla departed this life about the year 1884. That I was married about the year 1885 to a woman by the name of Sarah Coates and to us have been born and are now living four children, to-wit: Ralph Fleetwood, a girl born July 28th, 1887, Willis Fleetwood a boy born

about July 1st, 1890, Luvena Fleetwood a girl born about December 22nd, 1892 and Juley Fleetwood a girl born December 16th, 1894. That my said sister Martha W. married a man by the name of Gentry Brown about the year 1875 and to whom were born several children the names and ages of whom I am unable to give. That my said sister Minerva's son Stephen D. C. Edwards married a woman by the name of Allice A. Gill about the year 1877 and to whom have been born and are now living three children viz. Zelma Edwards a girl born about 1883, Stephen Edwards a son born about the year 1885, and Emma Edwards a girl born about the year 1894. That my said sister Minerva's son LaFayette Teel married a woman by the name of Nannie Heston about the year 1878 and to whom have been born and are now living five children viz. Minerva Jane Teel now married to John Boswell born December 8th, 1879. Carrie Ann Teel agirl born about the year 1882, William LaFayette Teel a boy born about the year 1886, John Hugh Teel a boy born about the year 1888, Nannie Teel a girl born about the year 1895. I further on oath state that I have made diligent search and inquiry among the Cherokee People and in public records and find that my grandfather the said Hosia Morgan Sr. was a Cherokee Indian by blood and that he lived with the Cherokee Indians near the Valley and Little Hiwassie Rivers in North Carolina and that he was well known by them and by them treated and regarded as a Cherokee Indian and enjoyed all of the rights, privileges and benefits of a member of the Cherokee tribe of Indians and was in truth and in fact a Cherokee Indian and that his name appeared on the Cherokee Rolls as such. That my grandfather the said Hosia Morgan Sr. about the year 1834 entered into a contract, as a Cherokee Indian with the United States government by its Indian agent Hugh Montgomery in which he released his interest in the Cherokee lands situated East of the Mississippi River and bound himself to remove and permanently settle with his family on the land provided for the Cherokee people West of the Mississippi and that he was to receive pay for his abandoned improvments on his settlement West of the Mississippi River. That in said contract my said grandfather was recognized and treated with by the United States government as a Cherokee Indian. That I understand my said grandfather Hosia Morgan Sr., died of Cholera while removing to this Nation and that his wife and children continued their journey to the present Cherokee Nation where they all resided until the times of their death.

his
(Signed) Eljerry X Fleetwood
mark.

Witness mark.
W. S. Stanfield.

Subscribed and sworn to before me this the 28th day of July, 1896.

(Signed) Harry E. Don-Carlos.

(SEAL)
Notary Public, My Commission Expires May 11th, 1900

Endorsements: Eljerry Fleetwood, Affidavit of Eljerry Fleetwood.

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EXHIBIT 23.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, :
NORTHERN DISTRICT.)

I, John W. Webb, being first duly sworn, on oath d.pose and say that my name if John W. Webb, that I am 38 years of age and my post office is Vinita , I. T. I am a Citizen of the United States. I was a witness for the united states Government in the case of the United States vs. Stephen D. C. Edwards tried before Judge Isaac C. Parker in the United States Court for the Western District of Arkansas in the City of Ft. Smith Arkansas on or about the year 1885. That I heard the instructions given by said Judge Parker to the Jury trying said case and among other things said Judge Parker instructed said Jury that if they believe from the evidence the said Stephen D. C. Edwards was a Cherokee Indian by blood and if they further believe from the evidence that Quilla Fleetwood the man whom the said Stephen D. C. Edwards was then on trial for killing was a Cherokee Indian by blood they should discharge the said Stephen D. C. Edwards. The said Judge Parker further said to the said Jury in substance, that the evidence introduced showed beyond any question that the dead man Quilla Fleetwood and the said Stephen D. C. Edwards were Cherokee Indians by blood. I further state that the said Stephen D. C. Edwards above referred to is the same Stephen D. C. Edwards who is now making application to be placed upon the Cherokee Indian Rolls. I further state that Lucinda Fleetwood testified as a witness in said case and in her testimony stated that she was a Cherokee Indian by blood and stated that the dead man Quilli Fleetwood was her son and further stated that the man on then on trial being the said Stephen D. C. Edwards was her grand son.

(Signed) John W. Webb.

Subscribed and sworn to before me this the 22nd day of August, A. D. 1896.

(Signed) Harry E. Den-Carlos.

(Seal)

Notary Public, my Commission Expires May 11th, 1900.

EXHIBIT 24.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, Stephen D. C. Edwards, being first duly sworn on oath depose and say that my name is Stephen D. C. Edwards, I was born in Delaware District of the Cherokee Nation in the Indian Territory on the 27th day of October, 1855, and am therefore nearly forty one (41) years of age. I have resided in the present Cherokee Nation all of my life and I now reside with my wife and children in the Cherokee Nation about ten (10) miles South of the town of Vinita. Vinita Ind Ter., being my post office and the post office of my children. I am the only son of Abraham and Minerva Edwards. My father died in my infancy and my mother afterwards married a man by the name of John Teel and by whom one child was born, to-wit:- my maternal half brother Lafayette Teel. I am a Cherokee Indian by blood, deriving the Cherokee Blood in my veins from my mother whose maiden name was Minerva Fleetwood, she, my mother being one of a large family of children born in lawful wedlock to Charles Fleetwood and Lucinda Fleetwood his wife. My mother deriving the Indian Blood in her veins from her mother Lucinda Fleetwood whose maiden name was Lucinda Morgan and she, my grand mother Lucinda Fleetwood nee Lucinda Morgan was a daughter of Rhoda Morgan and his wife Nancy Morgan both

of whom I understand were full blood Cherokee Indians and members of the Cherokee tribe and Nation of Indians, and who enjoyed all of the rights, privileges, benefits and immunities of members of the Cherokee tribe of Indians.

That my great grand father the said Hosea Morgan Sr. lived with the Cherokee Indians near the Tallapoosa river and was treated and claimed by the Cherokees and was in fact one of them. That the Government of the United States treated and dealt with my said great grand father the said Hosea Morgan Sr. and in all of its contracts and dealings with him, recognized him as a Cherokee Indian. That said Hosea Morgan Sr., was one of a Company of Cherokee Indians who started to emigrate from the Cherokee Agency East on the 14th day of March 1834, West of the Mississippi River under the direction of Lieutenant J. W. Harris. And that I understand said Hosea Morgan Sr., died of cholera while en route to this Nation

That I was well acquainted with my grand mother the said Lucinda Fleetwood and her complexion, hair and general appearance and every action indicated that she was an Indian by blood, she talked the Cherokee language fluently and I have heard her say that she was a daughter of Hosea Morgan Sr., and that she was born in the old Cherokee Nation East. My said grand mother treated my mother as her daughter and I have frequently heard both my mother and my said grand mother say that my mother was her, my said grand mother's daughter. After my mothers death I lived with my said grand mother and was treated by her and spoken of by her as her grand son. My said grand mother lived near Beattys Creek in the present Cherokee Nation at the time of her death, prior to my grand mothers removal to Beattis Creek she lived at Fort Gibson, where my mother was born. I understand that my said grand mother was married to Charles Fleetwood a United States Soldier at Fort Gibson in the present Cherokee Nation. My mother lived all of her life in this Cherokee Nation and died on Beattis Creek in Delaware District and is burried there. My mother understood and talked the Cherokee language fluently and my said half brother Lafayette Teel and myself thoroughtly understand the Cherokee language and I cannot remember which, the Cherokee or English language I learned to talk first. I also read the Cherokee language and have frequently been used in both the Cherokee and United States Courts as an interpreter.

Several of my mother's brothers and sisters have been recognized as Cherokee Indians by blood by the Cherokee Nation and as such have drawn money, had issued to them marriage licenses and in other ways been regarded by the Cherokee people as members of the Cherokee Nation or tribe of Indians by blood, and now, a number of the children of my said mother's brothers and sisters, my cousins are recognized and enrolled Cherokee Indians by blood as deriving the Cherokee blood in their veins from their parent the brother or sister of my mother as the case might be and tracing back their Indian blood to our common ancestor Hosea Morgan Sr. That about the year 1861 my mother married a Cherokee Indian by the name of Wilson and from that time until my mothers death in 1869 my said half brother Lafayette Teel was generally known by the name of Pete Wilson and I was known as Steve Wilson and it maybe we appear on some of the Cherokee rolls under those names. My said half brother Lafayette Teel and I were always considered as Cherokee Indians by blood and I always supposed that I was properly enrolled as a Cherokee up to the year 1879 or 1880 and the first I knew to the contrary was when I went to draw money I think in 1880. At that time upon learning my case and others of my relatives had been what the Cherokee Officers called "Red listed" my grand mother the said Lucinda Fleetwood on behalf of herself and those of her children and grand children whom we were informed were not recognized as Cherokee Indians by blood, made application to the Cherokee authorities for either-

ship and enrollment. And since 1880 my said grand mother and others of her decendents have made various applications to the Cherokee authorities for readmission, and to this day the said Cherokee authorities have never passed upon any of our said applications except in one ~~xx~~ instance when they decided against my said half brother Lafayette Teel my mother's siter Mrs. Martha E. Brown and me and that decision was rendered after our said application and the evidence in support had been withdrawn from a Committee or Court created by the Cherokee National Council and known as the Adair Commission. That the reason of the with drawal of the application for Citizenship from the Cherokee authorities before a decision was rendered by said authorities thereon, was that on or about the year 1888 my said half brother Lafayette Teel was placed upon trial in the United States Court at Fort Smith Arkansas, charged with killing a certain Cherokee Indian by blood and that one of the defenses made by my said half brother Lafayette Teel was that said United States Court did not have juriddiction in said case for the reason that he, the man killed and he, said Lafayette Teel were both Cherokee Indians by blood and said evidence together with said application were withdrawn from the files of the Cherokee authorities so that said evidence might be used on the trial of said case in said Court in Fort Smith to show that he my said half brother Lafayette Teel was a Cherokee Indian by blood. That I attended said trial in the United States Court at Fort Smith and know that a large part of the documentry evidence attached herewith was used as evidence in said trial. That at the time of said killing my said brother was acting as a Posse for a Dupty United States Marchal and the Judge of said Court instructed the Jury trying said case in substance that if the defendant, my said half brother was assisting a United States Marshall or Policeman or was in the employ of the General overnment the defence or the fact of him being a Cherokee Indian would avail him nothing. That on or about the year 1877 I was married to a woman by the name of Alice A. Gill and that there have been born to my said wife and myself in lauful wedlock and are now living, three children, to-wit:

Zelma Edwards, a daughter, now about 13 years of age
Stephen Edwards, a son, now about 11 years of age,
Emma Edwards, a daughter, now about 18 months of age.

That Lucinda Fleetwood whose affidavit is herewith attached taken before J. L. Ward, Judge of Deleware District of the Cherokee Nation departed this life some 8 or 10 years ago. That Nathiomal Fish whose affidavit is herewith attached taken before W. S. Bartlett on the 29th day of July 1889, departed this life on or about the year 1892.

That on or about the year 1885 I was placed on trial in the United States Court at Fort Smith Arkansas charged with killing my mother's brother, Quilla Fleetwood being the same Quilla Fleetwood mentioned in different affidavits attached herewith and being the father of Johnie Fleetwood, Roxie Fleetwood, Minnie Fleetwood, and Arizona Fleetwood, who in this same applicatied of Kijerry Fleetwood to which this affidavit is attached are asking to be enrolled as Cherokee Citizens by this Hon. Commission. That in my said trial at Fort Smith one of my defenses was that both the dead man Quilla Fleetwood and I were Cherokee Indians by blood and in support of my position, I introduced and the Hon. Isaac C. Parker the Judge presiding at said trial permitted to be read as evidence the paper herewith attached marked Exhibit C. the same being a certified copy of the record in the Department of the Interior at Washington D. C. showing that Moses Morgan Sr., and his family were members of a Company of Cherokee Indians who started from the Agency Post to emigrate to the Cherokee Nation West of the Mississip i River:

That said Judge Parker instructed the trial Jury in said case that if they believed the dead man Quilla Fleetwood and myself were both Cherokee Indians by blood they should discharge me. And he further stated in substance to the said Jury, that the evidence showed that the dead man Quilla Fleetwood and I were both Cherokee Indians.

My grand mother Lucinda Fleetwood testified in said trial that she was a Cherokee Indian by blood and she was the daughter of Rosea Morgan Sr., whose name appears on said Exhibit C, herewith attached and herein above referred to. She further testified that the said dead man Quilla Fleetwood was her son and that I was her grand son. I have made an effort to procure from the Clerk of the United States Court at Fort Smith a certified copy of the instructions and of the evidence bearing on my Citizenship but was informed by a letter from said Clerk to my Attorneys Don-Carlos & Stanfield that at the time of said trial no appeals were permitted and for that reason the evidence and instructions had not been reduced to paper and consequently he could not furnish them. That the Jury trying said case of mine returned a verdict that the Court trying the same had no jurisdiction thereof and I was discharged as will more fully appear by reference being had to Exhibit D., which is herewith attached and made a part hereof. That I have procured from the Department of the Interior at Washington, D. C., a certified copy of an agreemont entered into by the United States through its Indian Agent with my said great grand father Hosea Morgan, Sr., as will more fully appear by reference being had to Exhibit E which is hereto attached and made a part hereof. That on or about the month of August, 1896 I procured from the Department of the Interior at Washington, D. C. a certified copy of the record showing the prices placed upon and the improvements owned by my said great grand father Hosea Morgan Sr., as will more fully appear by reference being had to Exhibit F., which is herewith attached and made a part hereof.

That several of the afficavits herewith attached appear to have been taken for some time, and I have not procured new affidavits in their stead for the reason that other affidavits are herewith attached recently executed that cover practially the same ground. That J. L. Ward who made affidavit marked Exhibits 10 herewith attached post office is Mayesville, Arkansas, but he lives in the Cherokee Nation. That Mayesville Arkansas is the post office of Watson Sanders who makes the affidavit herewith attached and marked Exhibit 13. That Mayesville Arkansas is the post office of Peter Nick who makes the affidavit herewith attached and marked Exhibit 12. That Pryor Creek, I. T. is the post office of James Tincup who makes the affidavit herewith attached and marked Exhibit 11. That Mayesville Arkansas is the post office of Simon Johnson who makes the affidavit herewith attached, and marked Exhibit 16. That Mayesville Arkansas is the post office of Wilson or Wee lee See Nee or Wilson Simbin whose affidavits are herewith attached and marked Exhibits 15 & 14. That said Wilson, Simon Johnson, James Tincup, Watson Sanders and Peter Nick all reside in the Cherokee Nation. That I am the same Stephen D. C. Edwards mentioned in the other affidavits herewith attached and in the application for citizenship and enrollment made by my maternal Uncle Elijerry Fleetwood on behalf of himself and others.

(Signed) Stephen D. C. Edwards.

Subscribed and sworn to before me this the 27th day of August, A. D. 1896

(Signed) Harry E. Don-Carlos,

(SEAL) Notary Public, my Commission Expires May 11th, 1900.

United States Court at Fort Smith and in the Cherokee Courts of the Cherokee Nation, and that my said half brother Stephen D. C. Edwards also talked the Cherokee language fluently. That I have been summoned by the Cherokee Authorities to serve on Juries in the Cherokee Courts and have so served as will more fully appear by reference being made to page 21 of the record of criminal cases of the Circuit and Supreme Court in the Clerks Office of Deleware District and by reference being made to exhibit C which is attached herewith, and that I have served as a Juror in the trial of causes in the Cherokee Courts. That on or about the year 1888 in an action then pending in United States Court at Fort Smith in which my Citizenship was in question, evidence was sought to be introduced showing that a commission or Committee created by the Cherokee Authorities and known as the Adair Commission had decided that I was not a Cherokee Indian by blood, the said Adair commission baseing their decision upon the testimony of one Charles Wicklieff and James Waford and that in the trial above referred to in Fort Smith the Honorable Isaac C. Parker sole Judge presiding decided the decision of the said Adair commission above referred to could not be used in evidence to show that I was not a Cherokee Indian by blood or entitled to Cherokee citizenship upon the ground that said Adair commission had acted in said matter without my presence and without giving me an opportunity to be heard and that the proceedings and findings of said Adair Commission were Ex Parte and irregular or in other words that as far as my case was concerned before said Adair Commission I had not "had my day in Court."

That up to the year 1880 my half brother Stephen D. C. Edwards, my maternal Uncles Dilferry Fleetwood, Edmond Fleetwood, Miles Fleetwood, Quilla Fleetwood and myself voted and took part in the Cherokee election, served on juries and in many ways exercised the rights of Cherokee Citizens and up to said period of 1880 I supposed I was a Cherokee Indian Citizen and that my name appeared as such upon the proper Cherokee Indian rolls as it should have done. I further state that in 1880 my maternal grand mother sought to discover whether her name appeared as it should upon the Cherokee Indian rolls of Citizens and that she was refused an examination of said rolls where upon she made application to the Cherokee authorities to have her name placed on said rolls together with her children and grand children and great grand children but that for some reason her said application was never decided. That afterward to-wit in 1887 my mothers sister Martha W. Fleetwood then married to a man by the name of Brown and I made application to the Adair Commission herein above referred to to be placed upon the roll of Cherokee Indian Citizens and that afterward to-wit-on or about the month of July 1888 our said application and the evidence in support thereof was withdrawn from said Adair Commission by my said half brother Stephen D. C. Edwards at the instance of my said Aunt Martha W. Brown and myself so that said evidence could be used in the trial above referred to in the United States Court at Fort Smith, Arkansas. And that afterward to-wit: on or about the month of August 1888 the said Adair Commission, notwithstanding the fact that the application and evidence in support thereof of my said Aunt Martha W. Brown and myself had been withdrawn from further consideration by said Adair Commission rendered a decision to the effect that my said Aunt Martha W. Brown and I were not entitled to enrollment as Cherokee Citizens by blood

That I was the said Lafayette Teel referred to in the petition for citizenship of Dilferry Fleetwood herewith attached and in the various affidavits and official records herewith attached.

That the two children Willie Hooks and Samuel Hooks whose affidavits are herewith attached are orphans and sons of my mothers sister Delphony. That my said half brother Stephen D. C. Edwards has

three living children, to-wit:- Nelson, Stephen and Thomas and that they are the same persons whose names are referred to in the said petition of the said Mallory Fleetwood. That I have [illegible] living children, to-wit:-Pinkney James, Teel, born December 14th, 1878, Cherrie Ann Teel, born November 28th, 1882, William Lafayette Teel, born February 21, 1886, John Heath Teel, born April 5th, 1888, and Estelle Teel born February 6th 1895. That my said daughter Pinkney James Teel was married on or about the month of January 1896 to one John Lowell and whose Post Office is Vinita Indian Territory. That notwithstanding the efforts that have been made by myself and my maternal relatives to have the question of our citizenship decided by the proper authorities of the Cherokee Nation our applications have never been passed upon except in the one instance herein above referred when the said Adair Commission pronounced in my we were not entitled to enrollment and that after our application and the said use in support of it had been withdrawn, and that decision the said United States Judge Parker held could not be used as evidence to show that I was not a Cherokee Citizen for the reasons above mentioned.

(Signed) Lafayette Teel.

Subscribed and sworn to before me this 11th day of August, A. D. 1896.

(Signed) Harry E. DeCoster,

(SEAL)

Notary Public, my Commission Expires May 11th, 1900.

EXHIBIT 27.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, W. C. Woodall being first duly sworn on oath state: I am a Cherokee Indian by blood residing in the Cherokee Nation. My post office is Vinita, I. T.- During the year 1896 I was the District Judge of Delaware District Cherokee Nation and that while I was the Judge of said District Lucinda Fleetwood was by me appointed the administratrix of the estate of Charles Fleetwood, deceased, and as such administratrix she filed a bond which I identify as the same bond as this evening presented to me and which I herewith attach to this affidavit. That before appointing said Lucinda Fleetwood administratrix I enquired of her if she was a born citizen of the Cherokee Nation and she said she was. I have since learned she was not a recognized citizen of said Nation.

(Signed) W. C. Woodall.

Subscribed and sworn to before me this 27th day of August, 1896.

(Signed) Harry E. DeCoster.
Notary Public.

(SEAL.)

My Commission Expired May 11th 1900.

EXHIBIT 28:

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS:
NORTHERN DISTRICT.)

I, Stephen D. C. Edwards being first duly sworn on oath state that my name is Stephen D. C. Edwards, and that the children mentioned in the petition herewith attached as Grover Cleveland Ward, ...Ward, and ..... Ward are the children born in lawful wedlock to my mothers sister Sarah Ward and her husband Jerry Ward. That s said Aunt Sarah Fleetwood first married a man by the name of .. P. Palmore and to whom were born two children, Andrew Palmore and Susan Palmore and afterwards she was again married to a man by the name of Jerry Ward, and that all of said children to-wit:- Andred Palmore, Susan Palmore, Grover Cleveland Ward, ... Ward a son, and ..... Ward a son, are the children of my said Aunt Sarah and are co-petitioners, with me in the attached application.

(Signed) Stephen D. C. Edwards.

Subscribed and sworn to before me this the 7th day of September, 1896.

(Signed) Harry E. Don-Carlos.

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT "29."

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT:)

I, J. A. Deshazo, being first duly sworn according to law, deposeth and saith that my name is J. A. Deshazo, I am 67 years of age and my post office is Vinita, I. T. I was well acquainted with Lucinda Fleetwood whose children and grand children are making application for Cherokee Citizenship and enrollment, and the said Lucinda Fleetwood looked to be at least a half blood and she and all of her children were known to be Cherokee Indians. They lived in the Cherokee Nation and I lived within 3 miles of them for several years. The said Lucinda Fleetwood waited on my wife at the birth of two of our children. I was intimately acquainted with this family, and there is no doubt in my mind, but what they are Cherokee Indians. Stephen D. C. Edwards was a grand son of said Lucinda Fleetwood. I have no interest either directly or indirectly in the result of their application.

(Signed) J. A. Deshazo.

Subscribed and sworn to before me this the 7th day of Sept. 1896.

(Signed) Harry E. Don-Carlos.

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT A.

CHEROKEE NATION)
DELAWARE DISTRICT.)

Know all men by these presence that we Lucinda Fleetwood as principal Administrater of the estate of Charles Fleetwood dcod. and Edmond Fleetwood and Miles Fleetwood as Securetie are held and firmly bound unto W. C. Woodall Judge of the District Court of Del Dist C. N. or his successor in office in the penal Sum of $750.00 Seven Hundred and fifty Dollars lawful money of this Nation recoverable in any of the Courts of this Nation having Congnisans of the Same.

Conditions of the above bonds are such that said Lucinda Fleetwood having been duly appointed the lawful administratrix of the estate of Charles Fleetwood, Citizen of this Nation by adoption (Dcod) will faithfully act as administratrix of said estate according to law for administrations then the above bond to become null and void otherwise to remain in full force and virtue in law. We ther fore bind ourselves our heirs assigns and administrators to the fulfillment of the above obligations. Whereof we hereunto set our hands and cause our seal this the 2d day of Dec. A. D. 1872.

(Signed) Lucinda her X Fleetwood mark
(Signed) Edmond his X Fleetwood mark
(Signe.) Miles his X Fleetwood mark.

Endorsements:
Bond of Lucinda Fleetwood.

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EXHIBIT B.

CHEROKEE NATION,)
DELAWARE DISTRICT.)

This is to certify that P. P. Palmore a citizen of the U. States was granted a license to marry Sarah Fleetwood a citizen of the Cherokee Nation on the 20th of May 1874 and the license returned executed on the 24th day of May 1874 and is herein recorded on 8th day of Aug. 1874.

In conformity with the act entitled an Act to provide for licensing of citizens of the U. States intermarrying with citizens of the Cherokee Nation. Approved Oct 20th 1855.

Signed J. F. Harlin Clerk
Del Dist C. N.

I hereby certify that the above is a true copy of the original record on page 99 of the marriage records of this office.

(Signed) F. L. Walker, Deputy
Clerk Del Dist C. N.

(SEAL)

Endorsements: Recorded in Office, Books No. 1, 1896. To Marry Fleetwood. Record of Marriage Licenses.

EXHIBIT C.

DELEWARE DISTRICT)
CHEROKEE NATION)

Cherokee Nation vs Looney Che-nuc-quee.

Special Circuit Court convened for the trial of Looney Che-nuc-quee Judge J. D. Hayes presiding when the following named persons appeared according to citation to serve as jurors to wit:

No.	1	R. F. Wyly	No.	13	Arch Brewer
"	2	James Ward	"	14	Moses Ward
"	3	Yell Hasting	"	15	Thos Ward
"	4	S. N. Melton	"	16	John Ward
"	5	Wat Sanders	"	17	Hog Shooter
"	6	James Yergain	"	18	O lar-Nar-Stee-Sky
"	7	Zeke Starr	"	19	John Hunter
"	8	Robt Tittle	"	20	Lafayette Teal
"	9	Dock Harrison	"	21	John Countryman
"	10	Jacob Hiser	"	22	John Tyaler
"	11	Big Road	"	23	Van Edmondson
"	12	H. L. Hill	"	24	Joe Ward.

I hereby certify that the above is a correct list of Jurors names summonsed in the above case as shown in the record on page 21 of the record of Criminal cases of the Circuit and Supreme Court in the Clerks office of Delewar District.

(Signed) P. L. Walker Depty
Clerk Del Dist C. N.

(SEAL)

Endorsements: 7109. N. 31108 Indian Office Inclos. No. 11 1894. Jury List. Elijerry Fleetwood. Jury List Delewure District. Lafayette Teal. No. 18.

EXHIBIT D.

In the District Court of the United States,)
For th Western District of Arkansas.)

November Term 1886.

Wednesday Morning 8 '2 o'clock,
December 15th 1886.

Court met pursuant to adjournment. Present the Honorable Isaac C. Parker, Judge of the District Court of the United States for the Western District of Arkansas.

UNITED STATES)
vs.) Indictment for Murder No. 982.
STEPHEN EDWARDS)

On this day came the United States of America by S. H. Dunnels Esq. atty. for the Western District of Arkansas and comes the said defendant in custody of the marshal and by his attorneys Reese Barnes and Mellette & Wm. M. Cravens Esq and it appearing from the return of the marshal that said defendant has been served with a duly certified copy of the indictment in this cause, and a list of the witnesses in this cause and has also been served with a full and complete list of the Petit Jury as selected and drawn by the

-2-

Jury Commissioners for the present term of this court, more than two entire days heretofore and having heretofore had hearing of said indictment and pleaded not guilty thereto, it is on motion of plaintiffs by their said atty ordered that a jury come to try the issue joined whereupon the following were selected for the trial of this cause to wit

John Armstrong	Joseph D. Mullen
Ernest Goetle	Samuel Peters
Thomas T. Hayes	Miles F. Richardson
George R. Horton	Starling M. Smith
David R. Hammer	John Wilson
Carl Klaus	Frank Vogel

Twelve good and lawful men of the district aforesaid who being duly selected empaneled and sworn to try the issue joined and a true verdict according to the law and the evidence and there not being time to further progress with the trial of this cause they were by consent permitted to separate under the instructions of the court u til tomorrow morning 8 '2 o'clock

. . . . . .

Friday Morning 8 '2 o'clock
December 18th 1885

Court met pursuant to adjournment. Present the Honorable Isaac C. Parker Judge of the District Court of the United States for the Western District of Arkansas

UNITED STATES)
VS. : Indictment for Murder No. 822.
STEPHEN EDWARDS)

On this day come the United States of America by M. H. Sandels Esq. atty. for the Western District of Arkansas and comes the said defendant in custody of the marshall and by his attys Hess Barnes & Mellette and W. M. Cravens Esq. and now comes the jury heretofore empaneled for the trial of this cause to wit

John Armstrong	Joseph D. Mullen
Ernest Goetle	Samuel Peters
Thomas T. Hayes	Miles F. Richardson
George R. Horton	Starling M. Smith
David R. Hammer	John Wilson
Carl Klaus	Frank Vogel

Who took their seats in the jury-box and after hearing the balance of the argument (the evidence and a portion of the argument having been heretofore, on Dec. 17, heard) of counsel and receiving the charge of the court, retired in charge of a sworn bailiff of this court to consider of their verdict.

and it is further ordered that said jury be kept together and that the marshal of this district furnish meals to the jury and bailiff in charge until discharged by order of said court.

And now after some time, come the Jury, in charge of the bailiff aforesaid and return into court here the following verdict "We the jury find that this court has no jurisdiction in this cause"

(Signed) "John Wilson foreman"

It is therefore ordered that said defendant be discharged of and from the indictment in this cause and that he be remanded to the custody of the marshal to await an examination on another charge.

I Stephen Wheeler clerk of the district Court of the United States in and for the Western District of Arkansas, hereby certify that within and foregoing are true and correct copies from the record as shown on pages 104 and 105 in Common Law Record No. 37.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Fort Smith in said district this 22nd day of January A. D. 1887.

(Signed) Stephen Wheeler,
Clerk.

(SEAL)

Endorsements: Record of U. S. Ch. W.D.A.
I.
51108. Indian Office Inclos. No. 12 1894

Elijerry Fleetwood. Stephen D. C. Edwards, Verdict of Jury.

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EXHIBIT B.

(1-065 a.)

C.F.L.
C. M. M.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 25, 1888.

I, A. B. Upshaw, Acting Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true and literal exact copy of so much of one of the Cherokee Record Books as shows the agreement of Hosea Morgan to relinquish to the United States his proportionate interest in the Cherokee lands, lying East of the Mississippi, binding himself to remove and permanently settle, with his family, on the land provided for the Nation west of the Mississippi, on condition that he with others be paid for their abandoned improvements on their arrival & settlement west of the Mississippi &c, &c, as the same appears on file in this office.

(Signed) A. B. Upshaw,
Acting Commissioner.

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DEPARTMENT OF THE INTERIOR,
WASHINGTON, D.C., September 25, 1888.

I, William F. Vilas, Secretary for the Department of the Interior of the United States of America, do hereby certify that A. B. Upshaw, whose name appears signed to the foregoing certificate, is now, and was at the time of signing the same, Acting Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.

(Signed) Wm. F. Vilas,
Secretary.
C.A.M.

(SEAL)

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Articles of agreement entered into between Hugh Montgomery, Indian Agent on behalf of the United States of the one part, and

the undersigned chiefs & Warriors of the Cherokee tribe, residing within the limits of the States of Georgia and Alabama, Tennessee & N. Carlonia of the other part.

The undersigned Cherokees for themselves & families do voluntarily agree to assent to a treaty on the terms proposed by the President of the United States, through the Secty. of War, at their Council in 1832; and further agree to & bind themselves firmly by these presents; in case no general arrangement is entered into between the tribe to which they belong, & the general government during the coming fall, or early in the Winter, that they will relinquish to the United States all their proportional interest in & to, the Cherokee lands, lying east of the Mississippi; binding themselves to remove & permanently settle, with their families, on the lands provided for them West of the Mississippi, on the following conditions, viz: They are to be paid for their abandoned improvements, on their arrival & settlement west of the Mississippi, they are to be transported, & subsisted for twelve months after their arrival & receive all the other advantages, acquisites & articles, that other emigrants enjoyed or received under the treaty of the 6th May 1828, that they shall receive before their departure their proportion of the three years annuity due under former treaties. Also their equal proportion of all annuities, or other interests, arising from former, or future treaty, or treaties, that have, or may be concluded between the Govt. of the United States, & their tribe East of the Mississippi, including the proceeds of the school & reservation under the treaty of 1819. Placing them on an equal footing with those of their brethren who have already gone, as well as those who may remain. In testimony whereof the parties have hereunto set their names the days & dates under written

Date 1834	Names of Persons.	Males				Females				Ages	Residence
		under 10	10 & under 25	25 & under 50	50 & upwards	under 10	10 & under 25	25 & under 50	50 & upwards		
Jany.	Woody Russell	3	1	1		1		1		7	Valley River N.C.
	Hannah Morgan, Sr.	2			1	1	5	1		10	do
	Hannah Morgan, Jr.		1							1	do
	Cynthia Wilson		1				1	1		3	

Endorsements: R. 7108 Agreement R. Indian Office Indian No. 8, 1834. Kilberry Fleetwood Agreement.

EXHIBIT F.

E.F.J.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Aug. 21, 1886.

Sir:

I, Thomas P. Smith, Acting Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true copy of the original as the same appears of record in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, at the day and year first above written.

(Signed) Thos. P. Smith,
Acting Commissioner

(SEAL)

No. 200.

Hosea Morgan Supt near Smith Mill two miles from the Missionary on the North side of High Mount River.

1 Cabbin 16 by 18 round logs board roof puncheon on floor, wood chimney stone back &c	$18.00
1 Kitchen 12 by 20 round logs dirt floor	8.00
1 Stable 12 by 10 round logs board roof	6.00
1 Corn Crib 8 by 5	4.00
1 Lot 95	3.00
5 acres bottom land a 7	35.00
	$74.00

EXHIBIT G.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.
WASHINGTON, D.C. July 30, 1885.

I, Hiram Price, Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true and literal copy of the Muster Roll of 484 Cherokee Emigrants who left the Agency east on the 14th day of March 1838 under Lieutenant J. W. Harris, as reported on the 12th day of April 1838 by D. F. Carey, Superintendent of Cherokee Emigration as the same appears of file in this office.

(Signed) H. Price,
Commissioner.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D.C. July 30, 1885.

I, W. L. Joslyn, Acting Secretary for the Department of the Interior of the United States of America, do hereby certify that Hiram Price whose name appears signed to the foregoing certificate is now, and was at the time of signing the same Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such, and that the paper hereto attached is a true and literal copy of the Muster Roll of 484 Cherokee Emigrants who left the Agency east on the 14th day of March 1838 under Lieutenant J. W. Harris, as reported on the 12th day of April 1838 by D. F.

Carrey, Superintendent of Cherokee Emigration, as the same appears of file in this Department.

In testimony whereof, I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.

(Signed) K. L. Jeskyn,
Acting Secretary.
C. N. D.

(SEAL)

ROSTER ROLL of a Company of Cherokee Indians about to emigrate West of the Mississippi River,

Under the direction of Lieutenant J. W. Harris.

Names of heads of Families	Numbers and Ages of Indians. Males: Under 10	Males: of 10 & under 25	Males: of 25 & under 50	Males: Over 50	Females: Under 10	Females: of 10 & under 25	Females: of 25 & under 50	Females: over 50	Number of Slaves: Males	Number of Slaves: Females	Total Number	Remarks.
Black Fox	2	2	1		2	3					10	Chicamauga, Tennessee
Nancy and Mother						1	1				2	From within the limits of the State of Georgia
James McCrays family	2	2	0		3	1	1				9	Long Bullet Creek Valley River
William England	2	2	1		1	3	1				10	N. Carolina Peach Tree Creek
Alexander McCray	1	1	1		2		1				6	N. Carolina Valley River
David Foss	3	1	1		1		1				7	N. Carolina Valley River
William Russell	3	1	1		1		1				7	N. Carolina Valley River
Saml. Simons	3		1		1		1				7	N. Carolina Nantly
Ezekiel Butler			1								1	N. Carolina Valley River
Elijah Squirhon		1									1	N. Carolina Valley River
Rosia Morgan Sr.		2	3		1	1	2		1		10	N. Carolina Little River
Sriant Ward	3	1	1		2		1				8	Georgia Valley River
Rosia Morgan Jr.		1									1	N. Carolina

Anny Scurjohn							1		1								2		Nantly N.Carolina
Hamon Bolin					1												1		Nantly N. Carolina
Ruth Ward		2					1		1		1						5		Nantly Georgia
Saml Downing				1													1		Chicamauga Tennessee
Bird and Wife					1				1								2		Coosawattee Georgia
William C. Griffins wife									1								1		Valley River, N. Carolina
Betsy Gore and husband		1		1		1		2			1						6		Tissquitta N.Carolina
Jacob Saunders & Wife, only				1				1									2		Tusquitta N.Carolina
James McDaniel & Wife		1		1		1		2		2		1					8		Chicamauga Tennessee
Clymm Kah						1											1		Near Columbus Tennessee Deserted
Saml. Ward						1						1					2		Cottoogaga Georgia
George H. Ward		1		1				2		1							5		Cottoogaga Georgia
Charles Ward						1											1		Hantly Georgia?
Bear Foot		1		1		1		2			1						6		Chatata Tennessee
Coocester								1			1						2		Chatata Tennessee
Jim Cairy						1		2			1						4		Chatata Tennessee
Johnson						1											1		Talauha Tennessee Deserted
George Murphey				1													1		LongSavanna Tennessee Deserted
Saml Reynolds		1		1		1					1						4		Ottowa Tennessee
Stephen Spaniard				1		1		1			1						4		Ottowa Tennessee
John Woodard		1		1		1		4		1		1					9		Toqua Tennessee
Mariah Spaniard		3				4				1		1					6		Toqua Tennessee
Polly Spaniard		1						1		1							3		Toqua Tennessee
Green Rogers				1													1		Chestova Tennessee
Mistaken Gritts						1											1		Long Savanna Tennessee
Moses Gritts						1											1		Long Savanna Tennessee
Spanish John		2		2		3									1		8		Toqua Tennessee
Jack Spaniard		1				1				1							3		Ottowa Tennessee
Sequoche		2				1		2		1		1					7		Amohe Tennessee
Edward Spaniard				1						1							2		Toqua Tennessee
Little Ridge				1			2										2		Candys Creek Tennessee Deserted
Che yu ne Kah				1													1		Chestoga Tennessee
Annah		1									1						2		Chatata Tennessee

Ooscoonah							1		1								2		Chatata	Tennessee
Ainleh		1					1		1								3		Chatata	Tennessee
Sally Robinson & Husband			1		1		1					2		4			9		Mouse Creek	Tennessee
Ross		2			1		2		1								6		Chatata	Tennessee
Pratz					1												1		A Spaniar	from Georgia
Jim			1														1			Tennessee
Anna coo Kah									1								1			Tennessee
Saml. Mellums			1				1		1								3		Holly Creek	Georgia
Chea Or Otterlifter					1												1		Chestoca	Tennessee
Jessee Townsend		1	1								1								Hightown	Georgia
Stephen Haynes			1														1		Jim Cairy	Tennessee Deserted
James Ostenaker and 2 orphans		1	1				1										3		Tusquitta	N. Carolina
James Wicked					1												1		Bread town	Georgia
George C. Woodale		2	1		1		1		1								6		Hightower River,	Georgia
Cha yu Kah							1		1								2		Chestoca	Tennessee
John Miller		4			1		1		1		1			3		1	12		Highwassee	Tennessee
Tom Buller					1												1		Nowhere	Deserted
Joseph Robson		1			1		2				1						5		Aquohee	N.Carolina
Ruby Tucker		1			1		3										5		Valley River,	N.Carolina
Joe Pickerwood					1												1		Tusquitta	N.Carolina
The Brass and Wife			1						1								2		Gum Log Creek	N.CarolinaDeserted
Com no neh			1														1			Deserted
Che law ne Kah											1						1			Deserted
Elijah Groundhog			1														1		Tusquitta	N.Carolina
Co le cheh			1														1		Tusquitta	N.Carolina
Teh Kah e nee			1														1		Valley River	N. Carolina
Jojn McDaniel and Mother			1								1						2		Connesauga	Tennessee
Jane Blackwell									1								1		Dry Creek	Tennessee
George Van					1												1		Hightown	Georgia
Bears Paw		1			1		2		1								5		Chatata	Tennessee
Jane Wilson		1					1		1		1						4		Chickamauga	Tennessee
Saml. Wilson			1														1		Chicamauga	Tennessee
Thomas Fields		2	2		1		4				1						10		Mouse Creek	Tennessee
William Steffs					1		1				1						3		Candy Creek	Tennessee
William Van		3	1		1						1						6		Salacoa	Georgia
Charles Downing			1														1			Deserted
Hiram Bright					1		2				1						4		Salacoa	Georgia

Benjamin Bowmin			1														2		Salacoa Georgia
Nathan Rice			1						1								2		Salacoa Georgia
Doctor Coke			1						1								2		Salacoa Georgia
Alexander Kells family			1						1								2		Ellijay Georgia
Jackson Smith			1			1			1		1						4		Chattooga Valley Alabama
Good Money & Wif		2			1			2			1						6		Chestoca Tennessee
Lissy McGray									1								1		Conesauga Tennessee
Rebecca McGray									1								1		Conesauga Tennessee
Milly McGray									1								1		Conesauga Tennessee
Ruth McGray		2	1					2	1								6		Conesauga Tennessee
McGray, Sr.						1											1		Conesauga Tennessee
Lewis McGray					1												1		Long Savanna Georgia
Jane Wilson									1								1		Chicamauga Tennessee
James B. Benson			1	1				5			1						9		Ellijay Georgia
Will Tucker		4		1							1						6		Ellijay Georgia
James Talkingsticks family		2	1					1			1						5		Ellijay Georgia
Amos Richardson		2		1				2			1						6		Coosawattee Georgia
Thomas Livinner			1						1								2		Oohka lo ga Georgia
Martin McIntosh				1													1		Browns Town Alabama
William Elder			1														1		Oul Town Tennessee
Geo. Bridgmaker			1														1		Aunohe Tennessee
Kah Kullah				1													1		Aunohe Tennessee
Wetecohkee, or Widow Skitt			1						1		1						3		Skena Georgia
The Ridge			1														1		Skena Georgia
Nerva Chowa			2						2								4		Mantly N.Carolina
Nancy Reed and July		1	1	1					1								4		Mantly N.Carolina July deserted
Jessee Christy and wife			1					2	1								4		Mantly N.Carolina
William Bolin		4	2	1				1			1						9		Mantly N.Carolina
Thomas McDonald		1		1				2	1								5		Mantly N.Carolina
Daul McDonald		1	1					2	1								5		Mantly N.Carolina
Spencer Shelton and wife		3	2			1		2	1								9		Mantly N. Carolina
Robt. Shelton		2	1						1								4		Mantly N.Carolina
Henry Bolinger and Owestoe			1					1	1								3		Mantly N.Carolina
Sally Kell		1							1								2		Mantly Georgia
Polly H. Ward		2						1	1								4		Mantly Georgia?

Alex. McDonald		2	2			1	1	1		1				6	Mantly N.Carolina
Thos. McGray		1		1										1	Mantly Georgia
Ichkie, a young woman															
Jack Griffin		2			1			1						1	Tennessee
Danl.Griffins Wife and part of family		1				1	1			1				6	Chatowwa Tennessee
Wm. Brwer		1	2			1	1	1				2		6	Chatowwa Tennessee
Mrs. Chick			1				1							4	Long Savanna Tennessee
Catharina Lacy		2		1			2	1						4	Creek Path Alabama
William Wilson		3		1		3	2	1						9	Creek Path Alabama
Thomas Griffin			1			1	3	1						6	Creek Path Alabama
Early Cordery			1											1	Chicamauga Tennessee
Robt. Fields			1											1	Chatahouchy Georgia, Transportation and subsistence only
Chea or Otter		5		1		2	2	1						2	Civl Town Tennessee
Sour Crout			1											11	Highwasse Tennessee
Jew Otterlifter			1											1	Red Hill Tennessee
Elizabeth Shepard			1											1	Red Hill Tennessee
												1		2	Mouse Creek Tennessee
													6		

Whole number mustered 484

The foregoing is a correct Muster Roll of a Company of Cherokees who set our from the Cherokee Agency East on the 14th day of March 1834 under the direction of Lieut J. W. Harris, Fifteen of whom it will appear have deserted since they were mustered at the Agency for a removal West of the River Mississippi

Col. Geo. Gibson
Comy. Genl. Subsistence
Washington City.

Ben. F. Currey / Supt.
Cherokee Emigration
April 12 - 1834.

Endorsements:

Lafayette Teal S. D. C. Edwards
A.

Indian Office Inclos. No. 4 1834

Elijerry Fleetwood Muster Roll.

(17)

I, A.J. Brewer, do solemny swear that on the 7th day of September, 1896, I saw a package registered at the post office at Vinita, I. T. addressed to S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., That registry receipt No. 405 hereto attached is a receipt for said package which contained true copies of the application of Ellery Fleetwood and others and the affidavits of Lucinda Fleetwood, marked Exhibit -A-; Affidavit Charles Wickliffe, Marked exhibit, 2; Nathaniel Fish, marked exhibit 3; Ephel Smith, marked exhibit 3; William Haley, marked exhibit 4; E. D. Cary marked exhibit 5; Walter A. West, marked exhibit 6; James C. Childers, marked exhibit 7; Henry Tener, marked exhibit 8; William Hatch, marked exhibit 9; J. L. Ward marked exhibit 1; James Tinsley marked exhibit 11; Peter Pitchlynn marked exhibit 12; Watson Sanders marked exhibit 13; William Gladin, marked exhibit 14; Wilson or Wes Lee Rogers, marked Exhibit 15; Simon Johnson, marked exhibit 16; T. M. Buffington, marked exhibit, 17; Stephen D. C. Edwards, 18; W. G. Brown, marked exhibit, 19; Willie Meeks marked exhibit, 20; W. S. Stanfield, Exhibit 20, Ellery Fleetwood, Exhibit 22, John W. Webb Exhibit 23, Stephen D. C. Edwards Exhibit 24, William C. Woodall, Exhibit 25, Lafayett Teel, Exhibit 26; W. C. Woodall Exhibit 27, Stephen D. C. Edwards Exhibit 28, & J. A. Brewer 29 Administrators Bond, Exhibit A. Marriage Record, Exhibit B. Jury Record Exhibit C. Common Law Record No. 27 Exhibit D. Certified Copy of Record, Interior Department Exhibit E. Certified Copy of Record, Interior Department, Exhibit F. Certified Copy Interior Department Exhibit G. in support of the same.

(Signed) A. H. Brewer.

Subscribed and sworn to before me this the 7th day of September, A. D. 1896

(Signed) Harry B. McCarlos

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

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REGISTRY RECEIPT.

Post Office at Vinita, Sep 7 1896.
Cherokee Nation, Ind. Ter.

Registered Letter No. 405, Rec'd Sept. 9, 1896, of W. S. Stanfield addressed to S. H. Mayes, Tahlequah, I. T.

(Signed) D. A. Frazier P.M.
L.

(CHEROKEE NATION'S ANSWER AND EVIDENCE.)

Page 18 docket No.

Lafayette Teel.

Office Commission on Citizenship,
Tahlequah, C.N. May 31st, 1887.

Docket. No.	Names.	Age.	Sex.	Post Office	Atty.
1	Lafayette Teel	29	Male	Fayetteville, Ark.	
2	Manerva Teel	7	Female		
3	Carrie A. Teel	5	Female		A.E.Jury.
4	Wm. L. Teel	1	Male		

Application for Cherokee Citizenship.

V.S. Rolls 1835 & 1852.

Cherokee Nation Ancestor

Filed May 31, 1887. Dan Morgan

See decision next page. Adverse to claimants.

Connell rogers, Chief Com. on Citizenship

Aug. 7th, 1888.

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Martha W. Brown.

Office Commission on Citizenship,
Tahlequah, C.N. May 31st, 1887.

Docket. No.	Names.	Age.	Sex.	Post Office.	Atty.
1	Martha W. Brown	28	Female	S.W.City, Mo.	
2	Ceasee Brown	9	Female		
3	Wm. D. Brown	6	Male		A.E.Jury
4	Lula J. Brown	4	Female		
5	Martha Brown	1	Female		

Applicant for Cherokee Citizenship

V.S. Rolls 1835 to 1852

Cherokee Nation Ancestor

Filed May 31, 1887. Lewis Morgan

Commission on Citizenship,
Cherokee Nation, Ind. Ter.
Tahlequah August 7th, 1888.

Martha W. Brown, et al.
& Lafayette Teel, et al.

-66-

vs :
Cherokee Nation.)

The above two cases, that of Martha W. Brown, et al, and Lafayette Teel, et al, applicants for Cherokee citizenship in the Cherokee Nation, were filed in this office on the 30th day of May, 1887. both claiming decent from one Hosie Morgan, who then allege was of Cherokee Indian blood.

Martha W. Brown, nee Fleetwood, is the grand daughter of Hosie Morgan, and Lafayette Teel is the son of Martha W. Brown's sister name unknown, consequently her nephew, and the great grand child of Hosie Morgan. They both claim rights in the Cherokee Nation through the same source, that of being descended from Hosie Morgan. The Attorneys, Messrs. Ivey & Hitchcock, for plaintiffs agreed with the Nation's attorney, Hon. R. F. Wyly, that these two cases should be tried and determined upon the same evidence, as they are identically the same in respect to Cherokee citizenship i/s. if one is a Cherokee the other must be.

These cases were submitted to the Commission c Citizenship on the 4th day of August, 1888. All the evidence being in upon which to base an opinion

The evidence of Charles Wickliff on part of the plaintiffs in this caseu, goes to show that he is 63 years old, and that he has known Lucy Fleetwood for about 58 years, and that he knew her back in the Old Nation and that she went to school at that time at Valley Town Mission, in the State of North Carolina, and that this school was established for Cherokees and that he neverknew any other than Cherokee children to attend this school and that Lucy Fleetwood had two brothers that went to this Mission with her and that their names were Sam and Jerry, and that he Hosie Morgan, looked like an Indian, but that he did not speak the Cherokee language, but understood it, and that he was considered a Mexican or Spaniard. Mr. Wickliff further says that when a part of the Cherokees left Calhoun in the Old Nation in the year 1834, that he understood Hosie Morgan and family came to this country with them, and that he came to this Nation in the year 1839, but did not know if Hosie Morgan and family were ever recognized here as Cherokees. He further says that he was 10 or 11 years old when he went to this Mission school, before mentioned, in North Carolina, and that it was during this time that Hosie Morgan and family came into that section of country from the State of Georgia, and that he remained there about two years, but did not know if Hosie Morgan and family had any Negro-folks among the Cherokees, or not, but did not know that the wife of Hosie Morgan had curley, kinky or negro hair.

The evidence of Mrs. Nancy Starr, a full blood Cherokee woman, in behalf of claimants, taken before Judge J. L. Ward, District Judge of Delaware District, Cherokee Nation, on the 20th day of June, 1887, is wholly denied by said Nancy Starr on a cross examination made by the Nations Attorney, Hon. R. F. Wyly, on the 11th day of May, 1888. A letter of Judge J. L. Ward over his official signature, on file in this office, goes to show that Nancy Starr cannot speak or understand the English language, and that he had an interpreter, Lafayette Teel, one of the applicants in the cause, to interpret the statement that should have been made by said Nancy Starr, and that he, Ward, does not understand the Cherokee language himself, and only recorded that which Lafayette Teel gave him to understand Nancy Starr should have said.

The testimony of Sam Johnson, taken before a former Commission on Citizenship, under date of 19th of Sept. 1888, in the Lucy Fleetwood case, (tried before a former Commission and decided adverse to her on the 29th day of Sept. 1888,) and that the claimants in the cause were recognized as Cherokees - that the boys had gotten as guards &c, but upon the cross examination, he said that he never participated in the per capita payment of that year, of Cherokees.

William Wilson states in the matter of the claim of Lucy Fleetwood, the mother of Martha W. Brown, and grand-mother of Lafayette Teel, before a Commission on Citizenship, under date of Oct. 1st 1885, that he knew Lucy Fleetwood, but did not know of what blood she was, that she looked like a half negro, and that he had her sons hired under a permit to do work for him in Deleware District, and that at one time they tried to prove by him before the United States Court, that they were Cherokees, but failed. Mr. R. W. Alberty who gave testimony before a former Commission in the Fleetwood case for citizenship, says: That he is 52 years old and a Cherokee by blood, and that he was acquainted with the Fleetwood family in 1852, and that they removed into his section of country from Tennessee, and that he knew them up to the year 1861, and that had three of Lucy Fleetwood's boys employed under permits to work for him, and that they were regarded and known as the Catawbas, and that he had them employed the same as if they had been white men, and that he knew during the "Old Settler" payment in this country, and that they never applied for money, claiming they had a reight to participate in the distribution of this fund.

The statement of John G. Harnage in the Lucy Fleetwood case, taken Sept. 29th, 1884, shows that he took the Census of the "Old Settler" Cherokees, preparatory to making the payment to them, in that year 1851, and that while doing so, he met Lucy Fleetwood in Deleware District, and she claimed to be an "Old Settler" Cherokee, and asked to enrolled as such. Mr. Harnage says: That she failed to satisfy us, the census takers, that she was even a Cherokee, and that her name was not taken. She brought an Atty, and witness s to Tahlequah, the Capitol of the Cherokee Nation, where the Census Rolls of "Old Settler" were being completed, to have her claim adjusted. The evidence was taken before a Commission, says Mr. Harnage, composed of Judge Dew; Cherokee Agent, Brown; Lewis Ingers and myself, in which it was shown that Lucy Fleetwood came to this Nation with a detachment of Cherokees in the year 1834, but failed to prove that she was of Cherokee Indian descent. This was about the year 1850. The testimony of Moses Ward taken before this Commission on the 17th day of May 1888, shows that he was 72 years old, and that he was acquainted with one Winnie Fleetwood, who afterwards married a man by the name of Brown, and lived at Scatties Ratchum Prairie in Deleware District, Cherokee Nation, and that she is the daughter of Lucy Fleetwood, and that he was also acquainted with her, and was some what with Fleetwood, a white man, her husband. The names of Lucy Fleetwood's children are says Mr. Ward, Edward, Miles, Aquilla, Jerry, Thena, Sarah and Winnie, and one other the mother of Steve Edwards and Lafayette Teel. After the war he says, at an election in Deleware District, in which he was judge, these Fleetwoods presented themselves to vote, but were not allowed to do so, as they were not recognized as citizens of the Cherokee Nation. That he was once speaking of these folks to Mr. Bill Hagan, now dec'd, when Hagan remarked that it was either his father or his grand father that once owned Lucy Fleetwood's mother as a slave, and that Bill Hagan was once a Deputy Marshall and stood as high for truth and honor as any man in Benton County, Arkansas.

The evidence of James Wofford in this case is both conclusive and satisfactory, as it not only shows that he was acquainted with the Fleetwoods family in this Nation, but that he knew them in the Old Nation, prior to the Treaty of 1835. Mr. Wofford is a man of fair education and great integrity, he is now 82 years old and was a member of the Senate of the Cherokee Council in the Old Nation, which position he held for several years - until he removed to this country - and that he was often Interpreter for Courts and Ministers of the Gospel. Mr. Wofford says that he knew Neele Morgan in the Old Nation, and that he lived in the North Eastern District of the Nation, next to the North Carolina line, and that he then had a family, some of which were grown, and that Neele Morgan claimed to be a Cherokee Indian, and that his wife was a colored woman and had formerly been a slave, and that Neele Morgan left that country before the treaty of 1835. Mr. Wofford further states, that Neele Morgan

made application to the Council in the Old Nation for citizenship among the Cherokees, but that his request or petition was not granted, on the grounds that he was not a Cherokee, but was allowed on account of him being a Catawba Indian, to open up a field in the (then) Cherokee Nation, upon which to make a living. That he knew Hosie Morgan well, and that he, Hosie Morgan, told him that he was a Catawba Indian, and was so regarded, and that Mr. Hagan who used to own Hosie Morgan's wife, the mother of Lucy Fleetwood, and grand mother of Martha W. Brown, and great-grand-mother of Lafayette Teel, as a slave, lived near the line of North Carolina, in one of the Old countries, and that this said Hagan just spoken of, was the father of William Hagan, who is now dead, that use to live in Arkansas near the Cherokee line, who was once a Deputy Marshall, and a man well thought of by all who knew him.

We the Commission on Citizenship after taking into consideration the evidence in this case, are of the opinion that the applicants Martha W. Brown, et al., and Lafayette Teel, et al, are not Cherokees by blood, as the testimony is conclusive in its proof that they are of an admixture of Catoba and negro blood, with no evidence whatever, other than the allegations contained in the application for citizenship, that they are Cherokees which they have signally failed to establish. The fact of Hosie Morgan's children going to a Mission school established for Cherokee children, is no proof that they were Cherokees, only the supposition, which in the face of contradictory testimony sets this idea aside as being unworthy of notice. For the Missionary schools of that day and time, and down to the present, were governed and controlled by the Missionary Boards of the various Churches, and Indians have nothing to do with their maintainance and support. They being wholly under the supervision of the Missionaries, and while their object was, and is, ostensibly to benefit the Indians, it is a well known fact that children of any race, whites, negroes & Cherokees attended these schools.

This Fleetwood family have not continuously resided in the Cherokee Nation, going out into the States and returning at intervals. As to who Hosie Morgan was, the ancestor all of in these cases, previous to his coming into the Old Cherokee Nation, is wholly unknown to this Commission, or even of what race of people he might have been, other than what he said himself, that he was a Catoba Indian. The evidence of Charles Vicklliff and Jesse Wofford would seem to indicate that he might have been of Mexican extraction. On this point there is nothing definite. We fail to find the name of Hosie Morgan upon any of the rolls of Cherokees mentioned in the 7th section of the Act approved Dec. 8th, 1906, in relation to citizenship, and known as the rolls of 1835-1880-1851 and 1852, or upon the "Old Settler" rolls of the years 1851-neither do we find the names of the applicants on any of the rolls just mentioned, and do hereby declare, that Martha W. Brown and her four children, viz: Cassee, William D. Lula J., and Charles Brown, and Lafayette Teel and his three children, viz: Minerva J. Carrie A., and William L. Teel are not Cherokees by blood, and are not entitled by virtue of their blood to any of the rights and privileges of Cherokee citizens, and are intruders upon the public domain of the Cherokee Nation.

John T. Adair, Chairman Commission.

M. C. Barnes, Commissioner.

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Martha W. Brown,)
)
vs : Office Commission on Citizenship.
) Tahlequah, I.T. April 16th, 1888.
Cherokee Nation.)

W. W. Ward who first being duly sworn upon his oath states: I am a citizen of Deleware District, C. N., and am 32 years old. I know the applicant. She is from the Fleetwood family. I have known their family about 15 years, two of Mrs. Fleetwood's children went to school with me in Delware District, to Frank Thompson, teacher. As Cherokee children their names were Sarah and Thene Fleetwood. These parties, Sarah and Thena I recognize as the sisters of the applicant Martha W. Brown.

(Cross-Examination)

I dont remember the year that these parties Sarah and Inene Fleetwood went to school to Frank Thompson in Delaware District at Beatties Prairie scholl. I think these parties went to this one session. It was about this time that I heard the rights of this Fleewood family disputed in being Cherokees. I have known other children, not Cherokees that went to school to the Beatties Prairie school afterwards (i e) after I went with these parties to this same school.

Attest. Connell Rogers, Clerk Com.On Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah, I. T., April 16, 1888.

C. W. Ward who first being duly sworn upon his oath states: I am a citizen of the Cherokee Nation and reside in Deleware District C. N. and am 43 years old. I am acquainted with the applicant. I know [illegible] nothing of her ancestry except that I know her mother Lucinda Fleetwood.

Loucinda Fleetwood is now dead. She died in about the year 1886. She lived in Deleware District, C. N. I never heard that Loucinda Fleetwood was any other than a Cherokee Indian until after the war, her children went to school as Cherokee children and were acknowledged. I think these children went to school at Beatties Prairie for one term. Mrs. Fleetwood must have lived in Deleware District for the space of 3 or 4 years before her citizenship as a Cherokee was in any way questioned.

(Cross-Examination.)

I think Mrs. Fleetwood died in Deleware District, C. N. I dont remember what year it was that Frank Thompson began teaching school in Delaware District, C. N. after the war. The question referred to above concerning the rights of these parties to citizenship arose out of a row with her sons and Moses Ward's sons. This was about the year 1872 that this row took place above spoken of. There were children, not Cherokees who afterwards attended that school (Beatties Prairie) this was after Frank Thompson had quit teaching there. I was not acquainted with Mrs. Fleetwood before the war. I became acquainted with her after the war. I never heard that Mrs. Fleetwood's rights were disputed as far back as 1851 at the time of the Old Settler payment. As a matter of fact, personally I do not know how Mrs. Fleetwood derived her Cherokee blood if she has any.

Re-direct.

At the time I speak of, that Mrs. Fleetwood's children went to school they went as Cherokee children. I am acknowledged as a Cherokee Indian and accepted as such. I hold the office of District

Judge of Delevare District, C. N. The applicant Mrs. Brown has a family.

Re-direct-Cross Ex:

Mrs. Brown's husband is Gentry Brown reputed to be a white man. I dont know whether he had a family before he married the Applicant or not.

Attest.

Connell Rogers, Clerk Com. on Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah I. T., April 26th, 16th, 1888.

Martha Brown, the applicant, being sworn upon her oath in the matter of her children, says as follows to-wit: I am 30 years old. I have five children living whose names are Casey, her age is about 10 years Willie, his age is about 7, Lucy, Her Age is about 5 years, Martha, her age is about 3 years, and Myrtle Brown who was born in this year.

Attest.

Connell Rogers, Clerk Com. on Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah I. T. May 16th, 1888.

Charles Wycliffe who first being duly sworn upon his oath, states as follows, to-wit: I am a citizen of the Cherokee Nation and live in Saline District. I am about 69 years old. I dont know anything about the applicant. I am acquainted with Lucy Fleetwood. I have known Lucy Fleetwood since the year 1850 or 1851. I knew her back in the Old Nation where she was going to school. She was going to school at the time that I mention, at the Valley Towns Mission in the State of North Carolina. Evans Jones was the teacher, it was a Baptist. The Mission spoken of was established for the Cherokees. None other than Cherokees were allowed to attend this Mission. I never knew any body to attend this school but acknowledged Cherokees. Those that went to this Mission were, on account of it being a school for such persons, supposed to be Cherokees. This Lucy had two brothers that went to this school, at the same time, their names were Sam and Jerry. I knew Hasie Morgan who was the father of Lucy Sam and Jerry. Hasie Morgan looked like a full blood Indian. He did not speak the Cherokee language. He was considered a persons of Spanish. Hasie Morgan's wife was considered a Cherokee Indian. These parties did not talk the Cherokee language but understood it. They lived in the Cherokee Nation. They came from Georgia to North Carolina. They were not Natives there. They had about three children, Lucy, Sam and Jerry with them when they came from Ga. If these parties who attended the Mission were not Cherokees I do not know how the Rev Evans Jones allowed them to attend. Those parties left North Carolina in the year 1838 and were taken from there and emigrated to the Indian Nation. I suppose as Cherokees. When the Cherokees left Calhoun in the year 1838 I was told that they came too. I came to this country in the year 1839. I was living here in the year 1838. I dont know if these parties have been recognized here in this Nation or not.

-30-

Cross-examination.

I was 10 or 11 years old when I went to the Flenton spoken of above. I was going to this school when these parties came into that neighborhood. I went to this school about 4 or 5 years in all the time I attended. I was still going to this school when Hosie Morgan and family left that country. Rev. Evans Jones had children but they did attend this school. Hosie Morgan's wife was of a dark complection, her hair was curly. I don't know if these parties ever had any kinsfolks among the Cherokees. I never heard any Cherokees ever claim kin with them. Hosie Morgan never had any reservation as a Cherokee Indian. I knew the family of Hosie Morgan in North Carolina about two years.

Re-direct Exam.

In referring the matter of "curley" hair above, there is but one word to use when you would speak of "curley or kinky" hair. This woman had kinky hair.

Attest,
Connell Rogers, Clerk Com. On Citizenship.

Martha W. Brown,)
vs :
Cherokee Nation.)

Office Commission on Citizenship.

Tahlequah, I. T. April 13, 1888.

James Wofford she being duly sworn upon his oath states I am in my 82 year. As a citizen of Delaware District, C. N. I was raised in Georgia in what is now Cal on County. I am a Cherokee by blood. I was a member of the Cherokee Senate in the Old Nation for sever l years and was a member of the Senate until after I moved to this country. I was interpreter for Ministers of the Gospel.

I knew Hosie Morgan in the Old Nation. I understood that his name was "Hosie" he lived in the North East District of the Nation next to North Carolina. He had a family and several children. Some of his daughters were grown at that time.

Hosie Morgan claimed to be a Catawba Indian. Hosie Morgan's wife was a colored woman and had formerly been a slave. Hosey Morgan left that country with a detachment of Cherokees. I knew Hosie Morgan well. He was a full blood Indian and he told me himself that he was a Catawba Indian and that his general reputation was as such. His wife was a colored woman and in what we call a negro and about the color of a negress ordinarily. In the Old Nation, Hosie Morgan, made application to the Cherokee Council for citizenship and the Council refused to grant it, but told him to open up a field for his support. Hosie Morgan was never recognized as a Cherokee Indian, only allowed to remain and live there before of his Indian (Catawba) blood. After the war Old Mrs. Lucy Fleetwood came to me and wanted me to assist her in proving her citizenship in this Nation. I told her that I would be of no assistance to her for the reasons stated above, that I knew Hosie Morgan and wife and was fully satisfied that neither had any Cherokee rights. The owner of Mrs. Hosie Morgan used to live near the line of North Carolina in one of the old counties. She belonged to the father of Wm. Rogers, dec'd. She lived near the line of the Cherokee Nation in Arkansas

Cross-Exam.

I have no knowledge that Hosie Morgan was not a Cherokee only the Council refused to grant him citizenship and allowed him to remain among them as a Catawba Indian. His wife was not of the full-blood. Her account was that of a Negress.

(Question by Court.)
Re-Direct.

I believe Lucy Fleetwood was considered a daughter of Hosie Morgan. She had two sisters older than she was. She was not grown when she left the Old Nation. My understanding is that Lucy married a discharged soldier after she came to this country by the name of Fleetwood.

Attest.

Counell Rogers, Clerk Com. on Citi enship.

Martha [illegible]. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah, I. T., May 17, 1888.

Moses Ward, who being duly sworn, upon part of the Nation, says as follows, to-wit: I am a citizen of the Cherokee Nation and am 72 years old and live at Vinita, I. T. I am acquainted with one Winnie Fleetwood. I knew her at Beatties Prairie in Delaware District, C. N. I have known this Winnie since the war of the Rebellion, her mother was Lucy Fleetwood. I was acquainted with Lucy Fleetwood. I knew Lucy Fleetwood before the war. I have seen her husband Fleetwood, but was not much acquainted with him. Fleetwood was known as a white man. This man Fleetwood came to Beatties Prairie about 40 years ago. This Lucy Fleetwood was with him then at that time. I dont think, these parties were citizens of the Cherokee Nation It was my understanding that they were here under permit and since that time Wm Wilson told me that he got a permit for them, to work upon his (Wilson's) farm. Some 10 years previous to the war these parties left Beatties Prairie and went up about Carey's Ferry on Grand river in Delaware District. I next knew Lucy Fleetwood after the war, where she came back to Beatties Prairie. It was my understanding that Fleetwood was killed during the war, near Ft. Scott, Kansas. The names of Lucy Fleetwood's children were Edward, Miles, Angilina, Jerry, Thena, Sarah, Winnie and one other the mother of Steve Edwards and Lafeyette Teel, and the wife of James Tincup, now living in District of Delaware. I was here at the Old settler payment in the year 1851, I think. I do not know whether Lucy Fleetwood drew money as an Old Settler or not. I do not know whether Lucy Fleetwood came to this country before the emigration or with it. After the war when Lucy Fleetwood and her children came back to Beatties Prairie, her sons presented them sel ves to cast their votes in an election and their right to vote was questioned, and they were accordingly not allowed to do so. I was one of the judges of the election at the time Ed Fleetwood voted, he had married a Cherokee girl They were objected to on the grounds that they were not citizens of the Cherokee Nation, and they, them never tried to prove that they had a right to vote. Among the people at that time, this Lucy Fleetwood was supposed to be a Catawba. After this I was talking to Bill Fagan (dec'd) We were talking of the Fleetwoods and he said that it was either his father or his grand father that owned Lucy Fleetwood's mother as a slave, and he said if asked as to what these parties were, he could tell exactly what they were. Bill Fagan was, before the war, a U. S. Deputy Marshal. The talk I had with in reference to these Fleetwoods took place after the war. Bill Fagan as a man stood as fair as any man in Benton Co. Ark., for truth and honor. I dont know who this Winnie Fleetwood married but it was my understanding that she married a man by the name of Brown.

Cross Ex by Plaintiff.

No Ques.

No Ans.

Attest. Counell Rogers, Clerk Comsn Citizenship.

(1) Testimony of John G. Harnage taken before a former Court and attested by C. O. Frye, marked ("B" 1st)

(2) Testimony of B. W. Alberty taken before a former Court and attested by C. O. Frye, marked ("B" 2nd.)

(3) Testimony of Wm. Wilson taken before a former Court and subscribed by himself, marked "B" 3rd.

(4) Sam Johnson's statement is on file and marked thus ("B" 4th) taken before a former Court.

(5) Deposition of Nancy Starr taken before H. T. Landrum, Interpreter and Deputy clerk is on file and marked thus "B" 5th.

(6) Deposition of Nancy Starr taken before J. L. Ward of Delaware District is on file and marked ("B" 6th.)

(7) Correspondence of J. L. Ward in relation to the affidavit of Nancy Starr. Said affidavit is said to be denied by affiant, is on file marked ("B" 7th.)

Copy.

OFFICE COMMISSION ON CITIZENSHIP.
Tahlequah, C. N.

In the case of Lucy Fleetwood,)
vs. : APPLICANT FOR CITIZENSHIP.
The Cherokee Nation.)

John W. Harnage being introduced and sworn states: My age is 65 years. I reside at presint in Texas, My P. O. address is Gilgore, Texas. Some years ago while taking the census of the old settlers I met with a lady called Lucy Fleetwood. She came to me in Delaware District, claiming to be a Cherokee, and an old settler. She failed satisfy us as the census takers, that she was a Cherokee, and we did not enroll her as such. She brought her attorneys and witnesses here at this place where we wound up the census. We could not decide of what blood she was. We knew she was not a Cherokee. She failed to draw headright money. The old settlers all drew money. The old settler payment was made some thirty-one or two years ago. I think that her evidence showed that she came here in the detachment that was sent here in 1834. The case was investigated by myself, Jude Drew, Cherokee Agt. Brown, Louis Rogers. She failed to prove that she had Indian blood in her. Her witness was Tom Seaka She only had one witness, and failed to establish the fact that she was of Cherokee descent. Lucy Fleetwood came to us alone. I don't know whether she had any other brothers and sisters. Our clerk and Louis Rogers were acquainted with her.

John W. Harnage.

Sworn and subscribed before me on this the 29th day of Sep 1834.

C. O. Frye,
Clerk Com on Citizenship

Copy.

OFFICE COMMISSION ON CITIZENSHIP.

No. 104.

Lucy Fleetwood,)
vs. : Application for Citizenship in
Cherokee Nation.) Cherokee Nation.

B. W. Alberty.

Being produced in open court and after being duly sworn states: I reside in Cooweescoowee District, C. N. My P.O.

address is Chattiam, C. N. My age is 52 years. I am a Cherokee by blood. I was acquainted with a family of Fleetwoods in 1852. They came from Ft. Scott, Kansas, to my neighborhood. I knew the family up to 1861. I had Jimmy and Henry and Charley employed. I had permits for them. I had the sister employed though I have forgotten her name. Jimmy got to horseriding horses and some one killed him. I did not hear of them any more till since the war. I heard of them in Delaware District. They were always called Catabe. I never heard of them being called Cherokees. They did not claim to be Cherokees up to that time. Don't know that we ever met any one of them to know them since the war. I never knew any other family of Fleetwoods being in the Nation. They lived in our neighborhood about ten years. The reason that I had to get a permit for them was that they were not considered to be Cherokees. The old man told me that they came here with the understanding that they could live here they being Catabas. Course I employed them the same as I would a white man. Had to get a permit for the old man. He hired me his boys. I never heard of them voting. They were here in my neighborhood when the old settlers were paid and when the emigrants were paid, too, and they never applied for any money. At that there were three girls. I believe one of them was named Lucy Ann, and don't remember any other names.

B. W. Alberty.

Sworn and subscribed before me on this the 29th day of January, 1884.

C. C. Frye.
Clerk.

COMMISSION ON CITIZENSHIP:

Tah. C. N., Oct 1st, 1883.

LUCY FLEETWOOD,)
vs. :
CHEROKEE NATION.)

Wm Wilson sworn and introduced in the above case as witness states as follows: I know the woman. Not able to say what blood she is looks as though she was half negro. After I left Battens Prairie and moved on the Arkansas River they occupied my houses. My understanding was that they were under permit. My wife made the arrangement. That's all I know about them. I don't know who got the permit. It strikes me that they came from Kansas. They tried to prove by me in the U. S. Court that they were Cherokees, but could not. I have heard people say they were Indians. Some said they were not. He has some relatives in this country.

William Wilson.

CHEROKEE COMMISSION ON CITIZENSHIP.

Tahlequah, Cherokee Nation, Sept 19, 1883.

No. 148.

[illegible])
vs. :
THE CHEROKEE NATION.)

Sam Chisholm for claimant introduced; sworn in open court, testifies as follows: My name is Sam Johnson. Am a Cherokee. Live in the Cherokee Nation. Am 36 years old. I am acquainted with the claimant. She and her children have always been recognized as Cherokees, and they enjoyed the privileges of Cherokee Citizenship.

Lacy's boys have often been employed as guards by the sheriff of the district.

By Solicitor.

I live about one mile from Lacy's house. She did not draw any money in the last payment. The boys did not draw. I think they were gone to Texas at the time of that payment. Lucy has four children and three grand-children. She has two daughters. I have been acquainted with Lucy about 18 years. Lucy does not talk good Cherokee.

his
Sam X Johnson.
mark.

Martha W. Brown,)
vs.
Cherokee Nation.)

Nancy Starr, after being duly sworn states:

Question by Attorney for the Cherokee Nation, E. T. Wily.

Where did you live in the Old Nation?

A. I lived near where Rev. Evans Jones lived at a place called (au-u-tha-se) or Newasee. There was a river near where I lived called Hiwassee. I came to this nation from the Old Nation in Wofford's detachment. I never saw and know Lucy Fleetwood's father. I don't know Lucinda to be a Cherokee by blood. She was said to be a Cherokee. Lucinda's mother probably died on the way from the Old Nation to this Nation, as she was very old. I have never seen her in this Nation. This Lucinda Fleetwood I speak of had no other name than Lucinda that I knew of back in the old Nation. I never knew the husband of Lucinda Fleetwood. I know nothing about the affidavit purporting to have been taken before J. L. Ward, Judge of Delaware District last year, and I have never made any other statement in regard to Lucinda Fleetwood before any officer since I was at what [illegible] three or four years ago. I never was at Judge Ward's house, and he never was at my house. It has been a good many years- I have forgotten how long it has been since I was up on Beatties Prairie. The above is all I know in relation to Lucinda Fleetwood. I do not speak of understand anything in the English language.

her
Nancy X Starr.
mark

The above statement taken as a cross-examination of an affidavit or statement purporting to have been made before J. L. Ward, Judge of Delaware District, C. N., June 20th, 1887.

The above statement signed by Nancy Starr, sworn to and subscribed to before me this the 11th day of May, 1888, at the residence of the deponent.

H. F. Landrum,
Special Deputy Clerk and Interpreter.

OFFICE OF DISTRICT JUDGE, DEL. DIST., C. N.

June 20th, A. D. 1887.

Personally came before me J. L. Ward, Judge of the District and Nation aforesaid, at my office on the day and date above written, Nancy Starr, who, after being duly sworn, deposeth and saveth: [illegible]

lived right by Hosea Morgan and family in the Old Nation, and they never lived in the state whatever I knew anything about, and I knew Hosiea Morgan's mother, and she talked good Cherokee, and passed for a full-blood Cherokee there. All the family talked Cherokee and passed for such in the Old Nation. I knew Mrs. Lucinda Fleetwood to be one of the family of Hosea Morgan. His (Hosea Morgan's) mother's name was Awell, a full-blood Cherokee. These people were driven out here to this country and they all came alike or was brought here. They lived right around me all the time and I have known them ever since I could recollect. I never heard of them being called anything but Cherokees. They were all alike and considered one family back there- meaning the entire family of the Cherokees. I have known them since they come here- this is, I have known Mrs. Lucinda Fleetwood since she came out here, and Mrs. Fleetwood's uncle, whose name was Rabbit, a full-blood. The last account I had of him was, he went down in in Flint District. His first wife was named Che-cow-wa, and she died back there, and he married again after he come here, and his daughter by his first wife was my sister. My age, as near as I can tell, is about 85 years. I was married and had two children when we were drove out of the Nation. I live in Delaware District, C. Nation, near Downing Creek School House, and further deponent sayeth not.

Sworn to before me on this the 20th day of June, 1887.

J. L. Ward,
Judge Del. Dist. C. N.

P. S. This certifies that (as to the credivility of the witness she has never been impeached, or that no record appears to that effect, and is reasonable to suppose her testimony good as anybody's

Respectfully,
J. L. Ward.

OFFICE OF J. L. WARD?
Judge Delaware District.
Cherokee Nation, I. T.

May 13th, A. D., 1888.

To the Honorable,,
The Chairman of Commissioners' Court of Citizenship.
Tahlequah, Cher. Nation, I. T.

Dear Sir:

Having seen the deposition of Nancy Starr, as taken by the Nation 's Attorney, R. B. Wuly, wherein affiant swears that she made no statement to me, or before me, at any time, in the Lucinda Fleetwood or Martha Brown case, vs. Cherokee Nation, etc.

In justice to myself I thought to write you a few lines in explanation of my action, to-wit: Nancy Starr, above affiant, can not speak nor understand the English language and I had to take her statement through an interpreter. Said interpreter (Lafayette Peel) being an interested party in the above case, I swore him to interpret without favor or partiality to the best of his judgement, just what the old lady stated, and as I cannot understand the Cherokee language myself, I simply wrote just what the interpreter told me she said.

I suppose they had started to my office for the purpose of making these affidavits and stopped over night with Peel, when the old lady Fleetwood having been sick before) took suddenly ill again, and send for me to make their sworn statements before. I went to Peel's (some two miles from my office) and took the statements that have been so wholly denied by Nancy Starr, the affiant before mentioned. I had no means of known that she did not speak except through the interpreter, I and I simply [illegible] the interpreter, dictated.

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I thought this statement due the court from me that they might clearly understand the case, and further that I have no interest in the matter.

Respectfully and fraternally yours,
J. L. Ward, J. D. D. C. N.

Page 193, Docket "A".

Office Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept? 19, 1883.

Lucy Fleetwood,)
vs : E. C. Boudinot, Attorney for Claim.
The Cherokee Nation.)

Petition filed September 19th, 1883.
Case submitted by Plaintiff Jan. 11th 1884.
Case set for final hearing Jan. 19th, 1884.
Case continued to Feb. 1, 1884.
Continued to September Term 1884.
Pass. Jan. 12th, by Solic. to the 29.
Submitted by both parties Sept. 29, 1884.

And now on this the 29th day of September A. D., 1884. This case coming on for final hearing, and all the evidence in the case being carefully read and duly considered it was decided by the Commission on Citizenship that the a ove named claimant Lucy Fleetwood is not a Cherokee Indian by blood, and the said Lucy Fleetwood is hereby legally and duly rejected.

Eli Spears, President,
Andrew Young, Com.

Attest. C.P. Frye, Clerk, Com.

Copy.

LUCY FLEETWOOD,)
vs. : Application for citizenship.
CHEROKEE NATION.)

To the Honorable Commission on Citizenship: The undersigned, Lucy Fleetwood, would respectfully represent that she is a Cherokee by blood, deriving her Cherokee blood from her mother, Amos. She was a sister to the father of Fanny Starr, a full blood Cherokee woman, now a citizen of Delaware District; that Mrs. Fleetwood's father, Hagin Morgan, came to this country with a Cherokee family of ten persons in 1834, and your petitioner would respectfully ask that she be admitted to those rights of Cherokee blood to which she is entitled. She is now a resident of Delaware District, C. N.

Respectfully,
Lucy Fleetwood,
per Attorney, E. C. Boudinot.

Com. on Citizenship,
Tahlequah, Cher. Na.,
Sir:
Lucy Fleetwood,)
vs. :
Cherokee Nation.)

Judge Chas. Wickliff, introduced and sworn, testifies as follows: I am acquainted with Lucy Fleetwood, the claimant. I first knew her in North Carolina. I went to school together there. The school we went to was the Valley Town Mission. I knew her father, Hosa Morgan. Knew her mother, Awee. Hosa Morgan's Cherokee name was Gunner (Buffalo). He left North Carolina in 1833 and came to Calhoun. He had three boys and five girls, eight children in all. The Morgan family was called Cherokee by some people and Catala by others. Awee, or Annie, talked Cherokee a little. No one at that time disputed that they were Cherokees. They lived in the Cherokee Nation and owned an improvement. I live in Saline district. My age is 64 years.

Cross-examination.

The school, Valley Town Mission, where I and Lucy Fleetwood went, was entirely of Cherokee children. I do not know where Hosa Morgan or his wife got their Cherokee blood. It is on account of her looks and general appearance I judge the claimant ot be Cherokee. Her father, Hosa Morgan, had long hair and looked like a full Cherokee. His hair was straight and did not look like it was mixed with anything. Awee, wife of Hosa Morgan, had curly hair somewhat like it was mixed. They did not come at the time of the general emigration. They came to this country in 1834. After they came, I saw Lucy, the claimant, several times. They lived in Delaware District.

Charles Wickliff.

Sworn to and subscribed before me this Sep 15, 1884.
John L. Adair,
Clk. Conn.

OFFICE COMMISSION OF CITIZENSHIP.
Tahlequah, Cher. Na.,
Septm ber 15, 1884.

LUCY FLEETWOOD,)
vs. :
CHEROKEE NATION.)

Andrew Young, on part of the nation, introduced and sworn, testifies as follows: I live in Sequoyah District. I am over thirty years old. I am a member of the Commission on Citizenship. I do not know anything about Lucy Fleetwood, the claimant. I am acquainted with Ba Fleetwood and Jenny. They are of the same family.

his
Andrew X Young.
mark.

Sworn to and subscribed this Sep 15 1884.
John L. Adair,
Clk. Com.

OFFICE OF COMMISSION ON CITIZENSHIP.
TAHLEQUAH, CHEROKEE NATION, Sep 19, 1884.

No. 144.

LUCY [illegible],)
vs. :
THE CHEROKEE NATION.)

Jenny Starr, for claimant, produced in open court, sworn, testifies as follows: My name is Jenny Starr, and I married by blood; live within the Cherokee Nation; and am about 40 years of age.

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I am acquainted with the applicant. I lived neighbor to her in the Old Nation. She is a Cherokee by blood. Her mother was an Indian. She was my aunt. She was my father's sister. My father's name was Wah-chee-cah, and died at Coo-ta-cah-lah. I was acquainted with Lucy's mother. Her name was Awee-a very old woman. Awee's husband's name was Yonsie. Lucy and I came to this country together. Awee, the mother of claimant, was a full blooded Cherokee woman.

By Solicitor.

The claimant and I lived just about a mile from each other in the Old Nation. Claimant came to this country with the emigration. I and the claimant came to this country in Wofford's detachment. I don't whether Lucy's husband came to this country with her, and I don't know what family she came with. I supposse Lucy was married, for she had grand-children, but I don't know who the father of her children is. Lucy came on behind me when I came to this country.

By Claimant.

Lucy was an old woman when she came to this country, but I don't know how old she was. I don't know how old I was when I came to this cou try. I had two children. The father of my children was named Cah-tah-wee. He died up near Maysville.

her
Nancy X Starr.
mark.

OFFICE OF COMMISSION ON CITIZENSHIP.

Tahlequah, Cherokee Nation, Sept 21st, 1883.

LUCY FLEETWOOD,)
vs/ :
THE CHEROKEE NATION.)

Moses Ward introduced for the Nation, sworn in open court, testifies as follows: My name is Moses Ward. Am a Cherokee. Reside in the Cherokee. My age is 56 years. I am acquainted with the claimant, Lucy Fleetwood. I have known her ten or twelve years, but I have known of her about forty years. I don't know that she is a Cherokee by blood. She has never been called a Cherokee. She hasbeen claiming to be a Cherokee for the last few years. The first I knew of the Fleetwood family- about 40 years ago they came into Hatties Prairie there and stopped at Willy Wilson's, and he got a permit for them. Mr. Wilson and his son were talking together. I heard them say that they got a permit for them (the Fleetwood's) to live in the Nation. I don't know as I know anything more about it.

By the Solicitor.

They were considered and called by the people- some said they were Catabbs- some said they were negroes, but I don't ever recollect ever hearing them called whites or Cherokees. She looks pretty dark. She is a dark-skinned somebody. She is no white person. Her hair, however, is long and straight.

By Claimant.

I did not mean to say she was not a Cherokee for I don't know what she is. I don't know upon what grounds they called them Catabbs or negroes, I am not acquainted with old Nancy Starr. I know that the Fleetwood's have voted once at least; and I have known them to be refused the right to vote. I have known Willis Fleetwood to be refused the right to vote on the ground that he was not a citizen. This was within some 5 or 6 years ago, as well as I can recollect. I don't know whether Miles Fleetwood has been there or not.

I was judge of the election when Quilla was rejected. I challenged him and there was no other objection. Ed. Voted. Ed. was living with a Cherokee woman. I don't know of my own knowledge that the Fleetwood's did not draw their bread-money, but it was my understanding that they did not draw. It was last night that I heard Billy Wilson and his son talking about it. Then I heard them say that Billy Wilson got a permit for the Fleetwood's. I don't know that Quilla and Ed. ever voted after Quilla was refused. Of my own personal knowledge, I don't know whether Mrs Fleetwood is a Cherokee or not. I don't know what her blood is. All I know about ~~it~~ it is neighborhood talk. I don't know that her right to Cherokee Citizenship has ever been questioned before any tribunal competent to try the question. It was in Delaware District that I heard them called Catabes. I can't mention names of the persons who said they were Catabas.

Moses Ward.

---oooOOOooo---

EXECUTIVE DEPARTMENT.

CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 5th day of Oct. 1896.

(Signed) John L. Adair.
Executive Secretary.

(SEAL)

---oooOOOooo---

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. Cabaniss, and A. L. Montgomery, Commissioners.

In the matter of the application of Kilberry Fleetwood, Martha T. Brown, Stephen D. C. Edwards LaFayette Teel, et als., for citizenship in the Cherokee Nation.

Nation's No. .....
Commission's No. .....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Reese Morgan through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, West to the Indian Territory as at present located and occupied; that his

name does not appear on any of the authenticated rolls of said Nation; that neither any of her ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid application says: That, heretofore said applicants made application before a legally constituted Court, or Commission on Citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said cases were tried upon their merits; that upon a final hearing, judgements were duly given against the applicants and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgements are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief
Cherokee Nation.

By Hutchings, Hastings & Dendinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.
(Signed) John L. Adair.

Subscribed and sworn to before me this, the 5 day of Oct. 1896.
(SEAL) (Signed) D. J. Ball,
Notary Public.

Endorsements: Nation's No. 4201.
Commission's No.....

In re Application of Elijerry Fleetwood, et als.

DEMURRER AND ANSWER.

Filed Feb 26 1897.
Jas. A. Winston.

Filed Oct 21,
E. W. Jacoway, Sec."

(The following is the decision and record of the Commission to the Five Civilized Tribes as found on page 443, Docket "B.")

5572.
Eljerry Fleetwood, et al.)
v.
Cherokee Nation.)

Fort Smith Arkansas,
November 24, 1896.

Filed Sept. 7th, 1896. Answer filed. Application of W. C. Brown, Jerry Ward, Mrs. Eljerry Fleetwood, Mrs. S. D. C. Edwards, and Mrs. Boswell, citizens by adoption, and Lafayett Teel, Stephen D. C. Edwards, Lucy Teel Tincup, Johnny Fleetwood, Anzonci Fleetwood, Roxie Fleetwood, Minnie Fleetwood, J. C. Johnson Fleetwood, Eddie Fleetwood, Martha Brown, Carrie Brown, Carrie Brown, Wm. D. Brown, Lula J. Brown, Marthia Brown, Myrtle Brown, Grover Brown, Lottie Brown, Samuel Meeks, Willie Meeks, Sarah Fleetwood Ward, Andrew Palmore, Susan Palmore, Grover Cleavland Ward, Jerry Ward, Henry Ward, Zelma Fleetwood, Willie Fleetwood, Lavenoe Fleetwood, July Fleetwood, Zelma Edwards, Stephen Edwards, Emma Edwards, Minerva J. Teel Boswell, Calvin A. Teel, Wm. L. Teel, John H. Teel, Nannie Teel, Eljerry Fleetwood, and Prura Johnson citizens by blood; all admitted.

Appealed.

See page 444. Court No. 252.

Appealed.

Con Carlos and Standfield, Vinita I. T.

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IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,

NORTHERN DISTRICT AT MUSKOGEE.

Cherokee Nation, Appellant.

vs

Eljerry Fleetwood, et als., Appellees.

PETITION FOR APPEAL AND ASSIGNMENT OF ERRORS.

Now comes the Cherokee Nation by its attorneys and most respectfully represents to this Court that under an Act approved June 10th, 1896, the appellants containing the following named number of persons:

-the-

Kljerry Fleetwood,
Sarah Ward,
LaFayette Teel,
Samuel Meeks,
Susan Palmore,
.....Ward
Johnie Fleetwood,
Minnie Fleetwood,
Zelma Fleetwood,
Luvena Fleetwood,
Cassie Brown,
Loolie I. Brown,
Kyrtle Brown,
Lottie Brown,
Stephen Edwards,
,
Minerva J. Boswell,
William LaFayette Teel,
Annnie Teel,

Stephen D. C. Edwards,
Martha W. Brown,
Willie Meeks,
Andrew Palmore,
Grover Cleveland Ward,
.....Ward,
Roxie Fleetwood,
Arizona Fleetwood,
Willie Fleetwood,
Juley Fleetwood,
William D. Brown,
Martha Brown,
Grover Brown,
Zelma Edwards,
Emma Edwards,

Carrie Ann Teel,
John Hugh Teel,

made their application before the Honorable Dawes Commission as provided in said Act for enrollment as Cherokee citizens; that said case came on for hearing before said Commission upon the petition and affidavits of the appellees, and the answer and affidavits of the appellant, and on the 24 day of Novem ber 1896, the aforesaid appellees were duly decided to be Cherokee citizens, and entitled to enrollment as such.

Wherefore said Cherokee Nation prays an appeal from the finding and decision of said Honorable Commission to this Honorable Court, requiring all papers, records and proceedings in said case may be sent up to this Court, their No. being No. 5565.

Your petitioner further says that the decision and judgment of said Commission is wrroneous in this case, to-wit:

1st. Because said Commission was without jurisdiction to hear and determine said case and to admit persons to citizenship in the Cherokee Nation.

2nd. Because said decision and judgment was contrary to law.

3rd. Because said judgement and decision was contrary to the evidence.

_____

_____

_____
Attorneys for Appellant

Indorsements:
No. 252. Cherokee Nation vs Kljerry Fleetwood, et als.

Petition for appeal. Filed Jan 20 1897.
Jas. A. Winston,
Clerk.

---ooo000ooo---

In the United States Court within and for the Northern District of the Indian Territory.

Kljerry Fleetwood, et al
vs.
The Cherokee Nation,

Come now the plaintiffs in the above case and move to dismiss the appeal therein for the reasons:

1st. That it appears of record in said case that the same was filed on the 7th day of Sept. 1896 and that the Cherokee Nation did

not file its answer within the thirty days allowed, but is in default, and plaintiffs are therefore entitled t o judgement by default2nd. That there is not proper application for appeal therein, the same not being signed or sworn to.

Therefore plaintiffs pray that the appeal herein be dismissed and this filed out of time.

(Signed) Don-Carlos & Stanfield,
Attorneys for Plaintiffs.

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Indorsements: Kijerry Fleetwood, et al.
vs.
The Cherokee Nation.

Motion to dismiss the appeal.

Filed Sep. 8, 1897.
Jas. A. Winston,
Clerk.

Don-Carlos & Stanfield,
Attys.

---ooo000ooo---

Received of J. M. Jacoway, Jr., Secretary to the Commission to the Five Civilized Tribes, the original papers, in the cause of .....vs. ..... Nation, as follows:

Witness my hand and official seal at Muscogee this the 26 day of Feby. 1897.

(Signed) J. A. Winston,
Clk.

Indorsements:

Court No. 252.
No. 5572.
R E C E I P T.
For original papers in the case of
Kijerry Fleetwood, et al.,
vs.
Cherokee Nation.

Received and filed this ..... day of .....189.

Secretary.

---ooo000ooo---

IN THE UNITED STATES IN THE INDIAN TERRITORY,
[illegible] DISTRICT, AT MUSKOGEE.

CHEROKEE NATION)
Vs. : REPORT OF SPECIAL MASTER.
KIJERRY FLEETWOOD ET AL.)

I, W.A.Gilbert, Special master herein, respectfully show to the Court that under the order of reference in this cause heretofore

made by the Court, I have examined the proof and pleadings herein filed, and made a part of this report, and that I find as follows:

I

That this application was filed on September 7, 1896, before the Commission to the Five Civilized Tribes by the following named parties: Eljerry Fleetwood, Sarah Ward, Lafayette Teel, Samuel Meeks, Stephen D. C. Edwards, Martha W. Brown, Willie Meeks, Andrew Palmore, Susan Palmore, Grover C. Ward, _____ Ward, _____ Ward, Johnie Fleetwood, Roxie Fleetwood, Minnie Fleetwood, Arizona Fleetwood, Zelma Fleetwood, Willie Fleetwood, Luvema Fleetwood, Juley Fleetwood, Cassie Brown, Wm. D. Brown, Leolie I. Brown, Martha Brown, Myrtle Brown, Grover Brown, Lottie Brown, Zelma Edwards, Stephen Edwards, Emma Edwards, Minerva Jane Boswell, Carrie Ann Teel, Wm. Lafayette Teel, John Hugh Teel and Nannie Teel, all of whom are residents of the Cherokee Nation, Indian Territory, and who are the children, grand-children, and great-grand-children of Lucinda Fleetwood, who was the daughter of Hosea Morgan, Sr., who is said to have been a Cherokee Indian by blood, who emigrated to the present Cherokee Nation from the State of Georgia in the year 1834.

That the parties file in support of their application a very large number of affidavits and other written testimony, also letters of administration granted to Lucinda Fleetwood upon the estate of Charles Fleetwood by the Cherokee Judge of Delaware District; a marriage license issued to F. P. Palmore, a United States citizen, authorizing him to marry Srah Fleetwood in 1874, under the Cherokee laws, a copy of the jury venire of Delaware District, including the name of Lafayeette Teel; also a certificate from the Interior Department showing that Hosea Morgan, Sr., in January 1834 agreed to emmigrate to the present Cherokee Nation, and to surrender his land in the old Cherokee Nation east of the Mississippi river; and also a certificate from the Interior Department showing that Hosea Morgan's improvement was appraised; and also a certified copy of the roll of 484 Cherokee Indians who emmigrated from Georgia to the present Cherokee Nation in 1834, which includes the name of Hosea Morgan, Sr.

II

That the Cherokee Nation filed before said Commission its demurrer and answer on October 21, 1896, and also filed a copy of the proceedings before the Cherokee Commission on Citizenship in 1888, in which proceeding Martha W. Brown et al and Lafayette Teel and others were by that Commission declared not to be citizens of The Cherokee Nation; and also a certificate showing that Lucy Fleetwood made application for citizenship to the Spears Commission in 1883, and was by said Commission rejected.

III

That on November 24, 1896, the commission to the Five Tribes admitted the petitioners to citizenship in the Cherokee Nation, from which decision the Cherokee Nation appealed to this Court on June 20, 1897. That on September 8, 1897, the petitioners filed a motion to dismiss the appeal herein for reasons therein shown.

IV

That I find that the appellees are Cherokee Indians by blood and are residents of the Cherokee Nation, Indian Territory, and that they are the descendants of Hosea Morgan, Sr., who emigrated from the State of Georgia to the present Cherokee Nation in 1834, and who was at the time a recognized citizen of the Cherokee Nation.

That the family has lived in the Cherokee Nation ever since that time, and the members have been recognized as Cherokee Indians ever since, thojugh there is no proof to show that they have ever been enrolled since reaching the Cherokee Nation, Indian Territory.

That the authorities of the Cherokee Nation have in numerous instances recognized these appellees as citizens of the Cherokee Nation, but that the proof shows that Lafayette Teel, Minerva Teel, Carrie A. Teel, Wm. L. Teel, Martha W. Brown, Cassee Brown, Wm. D. Brown, Lula J. Brown, Martha Brown, and Lucy Fleetwood were rejected by Cherokee Citizenship Commissions in 1883 and 1888, as above set out. That S. D. C. Edwards swears that at the time of the decision in the Teel & Brown cases, the application and evidence had been withdrawn to be used in the trial of LaFayette Teel for murder at Ft. Smith.

Respectfully submitted this 10th day of November, 1899.

(Signed) H. A. Gibson,
Special Master.

Indorsements:

252.
Cherokee Nation v Eljorry Fleetwood, et al.

Report of Special.

Filed Nov. 10/ 1899.

Jas. A. Winston,
Clerk.

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(The two following documents are found among the papers in this case inclosed in an envelope addressed to "Messrs. Don Carlos & Stanfield, Vinita, Indian Territory.")

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

Fort Gibson, Indian Territory, July 24, 1897.

Messrs. Don Carlos & Stanfield,
Vinita, Indian Territory

Sirs:-

I have the honor to acknowledge the receipt of your communication of July 22nd, relative to the certified copy in the Eljorry Fleetwood et al. vs. Cherokee Nation case. The matter had not slipped my mind, but I have been too busy to attend to the matter. On the receipt of your letter I pulled away from other business to get this matter to you on to-day's mail. Please explain this matter to the Attorney for the Nation, and have him to consent that it shall be used in lieu of the one filed with the papers when the appeal was taken.

Very respectfully,
H. M. Jaeowy,
Secty.

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Commissioners.
Henry L. Dawes,
Frank C. Armstrong.
Archibald S. McKennon,
Thomas B. Cabaniss,
Alexander B. Montgomery.
H. M. Jaeowy, Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Fort Smith, Arkansas, November 24, 1899.

Elijerry Fleetwood, et al.,
vs.
Cherokee Nation.

Docket Sept. 7, 1899, Docket filed. Application of W. C. Brown, Jerry Ward, Mrs. Elijerry Fleetwood, Mrs. S. D. C. Edwards and John Woodall, citizens by adoption, and Lafayette Teel, Stephen D. C. Edwards, Rusy Teel Pincup, Johnny Fleetwood, Amoneal Fleetwood, Jennie Fleetwood, Minerva Fleetwood, J. P. Johnson Fleetwood, Willie Fleetwood, Martha Brown, Carrie Brown, Wm. D. Brown, Lula J. Brown, Martha Brown, Myrtle Brown, Grover Brown, Lottie Brown, Samuel Bowles, Willie Meeks, Sarah Fleetwood Ward, Andrew Palmore, Susan Palmore, Grover Cleveland Ward, Jerry Ward, Henry Ward, Zeldon Fleetwood, Willie Fleetwood, Lawrence Fleetwood, July Fleetwood, Velma Edwards, Stephen Edwards, Bruna Edwards, Minerva J. Teel, Jerome B. Teel, Walter A. Teel, Wm. J. Teel, John H. Teel, Nannie Teel, Elijerry Fleetwood, E. Bruna Johnson, citizens by blood, all admitted.

H. H. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record B, page 444 of the Commission to the Five Civilized Tribes.
Given under my hand and official signature this the 24 day of July, 1899.

(Signed) H. H. Jacoway, Jr.,
Secretary.

The above certified copy of the record is substituted in lieu of the one sent to the Court when appeal was taken, for the reason that in the former copy the words "all admitted," were left out.

(Signed) H. H. Jacoway, Jr.,
Secretary.

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(The following record is found in Docket "B" page 444 of the records of the Commission to the Five Civilized Tribes:)

Dawes No. 5572. Court No. 252.

Elijerry Fleetwood, et al.,
vs.
Cherokee Nation.

By judgment of U. S. Court of Nov. 10th, 1899, the following persons were declared entitled to citizenship in the Cherokee Nation.

Elijerry Fleetwood,
Lafayette Teel,
Zeldon Fleetwood,
Jennie Fleetwood,
Amoneal Brown,
Stephen D. Brown,
Minerva Brown,
Stephen D. C. Edwards,
Martha W. Brown,
Willie Meeks,
William Fleetwood,
Juley Fleetwood,
Wm. D. Brown,
Martha Brown,
Grover Brown,
Velma Edwards,
Bruna Edwards,
Lovie Ann Teel,
John Hugh Teel,

By the same judgment citizenship was denied the following per-

Sarah Ward,
Sam'l Meeks,
Susan Palmore,
.....Ward,
Johnny Fleetwood,
Wm ie Fleetwood.

Andrew Palmore,
Grover Cleveland Ward,
....." Ward.
Rosetie Fleetwood,
Arizona Fleet wood,

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing transcript of the papers and records in the matter of the application of Eljerry Fleetwood, et al., for admission to citizenship before the Commission to the Five Civilized Tribes in the year 1896, and that the above and foregoing is a true and complete copy of all the papers and records in said case on file with this Commission.

Subscribed and sworn to before me this February 13, 1903.

Commissioner.

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...ion,
...sion... THE FIVE CIVILIZED TRIBES

FILED
MAR 3 1902

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 15th 1902.

In the matter of the application of Edmund Fleetwood et al for enroll
ment as citizens of the Cherokee nation by blood, consolidating the cases
of

Edmund Fleetwood et al Cherokee D------ 1193

Nora A Webster et al Cherokee D 1269.

Protest of the Cherokee nation.

Comes now the Cherokee nation and protests against the decision of the Commission rendered in these cases and respectfully asks that they be forwarded to the Honorable Secretary of the Interior for review.

The record in this case shows that on August 8th 1900 Edmund Fleetwood the principal applicant in this case appeared before the Commission at Tullahassa Indian Territory and applied for the enrollment of himself and family; his last wife being a Cherokee by blood she and her minor children are differently classified and were enrolled upon a straight card. At that time Edmund Fleetwood claimed that he had always been a recognized citizen of the Cherokee nation and he made no claim whatever of having been admitted by the Commission to the Five Civilized Tribes in 1896; Upon the other hand the record shows that he was asked the question: "Is there any evidence that you can produce that you have ever been admitted and recognized by the Cherokee authorities as a citizen of the Cherokee Nation?" His answer was "I drew money with them." At this time he made no claim to have been enrolled by the Commission. About a week later on August 13th while the Commission was in session at Muldrow, Indian Territory, his brother Kijerry Fleetwood had applied there, who lives at Long, Indian Territory, a short distance from Muldrow and after it was discovered that by some means the name of "Eddie Fleetwood" was included among those admitted upon the Dawes Commission 1896 docket then for the first time the applicant Edmund Fleetwood appeared before the Commission and

claimed that he was the identical person who was admitted as "Eddie Fleetwood". He does not claim to have made the application in person but says that his relatives made it for him; he knew nothing about it at the time; although born long prior to the war he gave no testimony at that time and neither was the name of his daughter Nora A. Webster, nee Fleetwood, found upon this docket of the Dawes Commission along with his own although the names of all other minor children of his brother and other relatives are found thereon.

A careful examination of all of these records shows that no application whatever was made for Edmund Fleetwood, the applicant, and the Cherokee Nation having been served with a copy of the original application when the of course, on appeal was taken from the decision of the Dawes Commission referred to the copy of the petition among the files and prepared their appeal from it and this appeal does not include the name of Eddie Fleetwood or Edmund Fleetwood. Neither does the commissions report; in fact the name of "Eddie Fleetwood" or Edmund Fleetwood is not found on any of the papers except in the testimony of some of the witnesses as to who were the descendants of the mother of Fljerry Fleetwood. Just how the name of "Eddie Fleetwood" ever got upon the Docket of the Dawes Commission will perhaps forever remain a mystery although it is quite clear that the applicant Edmund Fleetwood in no wise participated in making this application to the Commission in 1896 because if he had he would have known of it at Sallisaw I. T. on August 7th 1900; some notice would have been given to him and the name of his daughter Nora would have been included in the application with him.

Our contention is that Edmund Fleetwood was never recognised as a citizen of the Cherokee Nation; that he was not admitted by the Commission in 1896; that the name of "Eddie Fleetwood" was a clerical error made by the Clerk who in haste wrote a great many names upon the docket from the papers before him and that no application was made for Edmund Fleetwood as provided by the Act of Congress of June 10th 1896, the Commission acquired no jurisdiction whatever over his case.

Under the act of June 10th 1896 all applications must have been made within ninety days from the approval of this act and this time expired on September 8th 1896; Now the name of Eddie or Edmund Fleetwood is no

where found among the records of this case until it is found upon the Docket book of the Commission Page 443 Docket B on November 24th 1896 or five and a half months after June 10th 1896 and two and a half months after the time had expired in which applications could be made and filed before the Commission under this act of Congress which gave jurisdiction.

But it is argued by the Commission that this man is a Cherokee by blood any way that his name appears upon two or three unauthenticated rolls. True his name appears upon the 1883 and 1886 rolls but they were unimportant rolls upon which very small payments were made and the attention of the Honorable Secretary of the Interior is called to the fact that the evidence taken before the Commission discloses the fact that the applicant Edmund Fleetwood had married a Cherokee wife before 1885 and that it was subsequent to this marriage to this Cherokee wife that his name by error appears upon these rolls. Why do we say by error? For the reason that the testimony further discloses that ~~whereupon~~ the whole family of Fleetwoods was rejected by what is known as the "Adair" court in 1888 wherein witness after witness was called and examined as to the rights of this fleetwood family and after a most exhaustive hearing the Commission rendered a very lengthy decision rejecting all the members of this family who applied for citizenship including the mother of the present applicant whom the Commission in this decision very strangely finds to be a full blood Cherokee. We say that this shows conclusively that the appearance of the name of Edmund Fleetwood on the rolls of 1883 and 1886 is an error; that these rolls were unauthenticated; that the Cherokee Nation was not bound by them and that they ought not to be taken as evidence of the recognition of this man to citizenship in the Cherokee Nation. The testimony on file in this case shows all of the testimony taken before the Commission in 1887 and 1888 and it shows most conclusively that these people were not ~~entitled~~ recognized citizens of the Cherokee Nation.

The truth of the matter is Edmund Fleetwood left the vicinity of Muskogee and moved to the Vicinity of where he now lives in a different District or country among strangers, married into a Cherokee family, told the Census takers that he was a Cherokee by blood and represented that he had been so recognized and they enrolled him; but it must be borne in

sion under the act of June 10th 1896 and that the name of "Eddie Fleetwood found upon the Commissions docket book is a clerical error and has no reference whatever to the applicant for the three reasons:

1st That he never applied.

2nd That his daughters name is not along with his.

3rd That he never took any part in the trial before the Dawes Commission in 1896 or in the case upon appeal before the United states Court and that the application was not made for him before september 8th 1896, being the date of the expiration of the ninety day's limit given applicants for filing their claims before the Commission; that the Commission had no jurisdiction over and could not consider it any more than they could now consider the application of a full blood Indian the time having expired under the recent act of Congress ratified by the Cherokee people on August 7th 1902 and we futher contend that he was never a recognized citizen of the Cherokee nation; that his name appears upon some of the less important rolls of the Cherokee nation by error because all of the other members of his family were rejected by the Adair Court in 1868 and we contend that he should not be enrolled as a citizen of the Cherokee Nation neither should his daughter Nora A Webster.

Respectfully submitted,

W W Hastings

Attorney for the Cherokee Nation.

Attest:

Stenographer for the Cherokee nation.

File with C. D. #1193.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 10, 1902.

The following statements made by Mr. W. S. Stanfield and Mr. W. W. Hastings in the matter of the enrollment of Samuel Holmes, et al., for enrollment as Cherokee citizens, are ordered by the Commission to be filed in the matter of the application for the enrollment of Edmond Fleetwood as a citizen by blood of the Cherokee Nation:

. . . . . .

Com'r Needles to Mr. Stanfield: If you desire to make any statement of the case the stenographer will take it down.

Mr. Stanfield: Well, just a short statement.

Com'r Needles: Attorney for applicant desires to make the following argument as to the rights of parties:

Mr. Stanfield: In the matter of the application of Edmond Fleetwood for enrollment attorney for Fleetwood desires to call attention to the fact that Fleetwood was admitted to citizenship by the Dawes Commission in '96, as shown by their records, being a brother of the principal applicant, Elijerry Fleetwood; that he was admitted at that time under the name of Eddie Fleetwood; that from the decision of the Dawes Commission admitting Eddie Fleetwood to citizenship no appeal has been taken; the Cherokee Nation having set out in its application for appeal the names of the parties whose cases it desired to appeal from the decision of the Dawes Commission; that by the records in the case it appears that the application of Eddie Fleetwood for citizenship has never been reconsidered since his admission to citizenship by the Dawes Commission.

The United States Court in passing upon the case, neither rejecting nor admitting him to citizenship, but declaring the other applicants in the case appealed from the decision of the Dawes Commission to be citizens and having been citizens all the time; expressly refusing to admit them to citizenship, but declaring them to be citizens.

The proof on file shows that Eddie Fleetwood and Edmond Fleetwood, the party who now applies to be placed upon the roll, are one and the same party, and consequently the Edmond Fleetwood who now applies stands admitted by the decision of the Dawes Commission, without any further action upon his case.

Attorney for applicant request a thorough examination of the records in this case before the Dawes Commission in 1896 and before the United States Court, and especially the application for appeal [illegible] by the Cherokee Nation from the decision of the Dawes Commission admitting the parties to citizenship. The same request is made in the case of Samuel Holmes, et al., and Nora Webster et al., kindred cases to this case.

Mr. Hastings: The representatives of the Cherokee Nation contend that the applicant, Edmond Fleetwood, is not a citizen of the

Cherokee Nation either by blood or adoption; that his name does not appear upon any of the rolls of the Cherokee nation, and therefore comes under the act of May 31, 1906, unless admitted by the Dawes Commission or the Court on appeal under the Act of June 10, 1906, and contends that he was not admitted either by the Dawes Commission or by the Court on appeal, and points to the record on file in this case to show that this contention is true.

The Cherokee Nation contends that the name of this applicant does not appear in the original application, was not admitted by the Commission, and was not admitted by the Court on appeal.

Com'r Faudree: This cause will be considered closed as to any further testimony, and the parties will be notified of the final decision of the Commission in the matter.

J. G. Rasmus, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he copied the foregoing statements from the original statements made in the matter of the enrollment of Samuel Mahone, et al., as citizens of the Cherokee Nation; said original statements having been recorded and reduced to writing by me as stenographer to above named Commission.

J. G. Rasmus

Subscribed and sworn to before me this February 10, 1908.

Commissioner.

mind that these rolls were never authenticated by the Cherokee Nation and never came up before the Cherokee National Council as a body for any action where the representatives of the Different districts where the applicant formerly lived would have a chance of protesting against his enrollment or of calling attention to the fact that it was an error to place his name upon any Cherokee roll. He was not enrolled in 1854; neither was he enrolled in 1896 neither does the name of his daughter Vera appear upon either of said rolls and while his name appears upon some of these other rolls that can be easily accounted for from the fact that her step mother was a Cherokee by blood that she bore her fathers name and it was perhaps not known that she was a step child of Edmund Fleetwood's wife in 1883 and 1886.

The Cherokee nation contends that the Commission has no authority now to admit or readmit persons to citizenship in the Cherokee Nation; that jurisdiction was conferred upon them by the acts of June 10th 1896 but under the act of June 28th 1898 and subsequent legislation it is the duty of the Commission now to enroll only recognized citizens of the Cherokee nation. Have the applicants Edmund Fleetwood and his daughter been recognized citizens of the Cherokee nation? We say that the most exhaustive trial before the Cherokee Citizenship court in 1888 clearly refutes the idea that this family was ever recognized because their names appear upon the rolls of 1883 and 1886, which were not authenticated, and is no evidence of their recognition because Congress by the act of June 10th 7th 1897 defined the rolls of citizens of the Cherokee nation to mean the last authenticated roll of the Cherokee nation, being that of 1880; and let us suggest right here that it is our humble opinion that it was never intended by Congress that the Commission should take into consideration any of the other rolls of the Cherokee nation except the authenticated roll only for the purposes of identification and residence and not for the purpose of proving recognition of citizenship.

This man Edmund Fleetwood at first claims that he was always a recognized citizen of the Cherokee Nation and that therefore when he married it was unnecessary for him to get a Cherokee Marriage license and later on when he finds an "Eddie Fleetwood" on the Commissions docket book he finds it convenient to cling tenaciously to that record.

[illegible]

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Edmund Fleetwood, et al., as citizens by blood of the Cherokee Nation consolidating the applications of,

Edmund Fleetwood, et al. .....Cherokee D 1193

Nora A. Webster, et al. .....Cherokee D 1360

D E C I S I O N.

--oOo--

The record in these cases shows that the following named persons appeared before the Commission at the places hereinafter designated and made application for the enrollment of the following named applicants as Cherokee citizens.

On August 7, 1900, Edmund Fleetwood appeared before the Commission at Sallisaw, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muldrow, Indian Territory, on August 13, 1900, and at Muskogee, Indian Territory, on January 23, 1902, and February 10, 1902. The other parties to the application are differently classified and are not embraced in this decision.

On December 11, 1900, Harris B. Webster appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on January 14, 1902, January 23, 1902, February 10, 1902, and July 16, 1902.

The evidence shows that on September 7, 1896, Kijerry Fleetwood, et al., filed their application before the Commission to the Five Civilized Tribes for admission to citizenship in the Cherokee Nation, under the Act of Congress, June 10, 1896 (29 Stats., 321). The applicant, Edmund Fleetwood, does not appear to have been embraced in that application. The Docket entry of the Commission disposing of the case of Kijerry Fleetwood, et al., admitted all those for whom application was made, and included the name of Eddie Fleetwood. The applicant, Edmund Fleetwood, claims that the Eddie Fleetwood mentioned in said Docket entry was intended for him; that he was embraced in the application of Kijerry Fleetwood, et al., and that he was admitted to citizenship in the Cherokee Nation by the Commission on November 24, 1896, under the name of Eddie Fleetwood. It further appears that an appeal was taken from the decision of the Commission in the case of Kijerry Fleetwood, et al., to the United States Court in Indian Territory, Northern District, but it does not appear that Eddie Fleetwood or Edmund Fleetwood was included in that appeal or in any proceedings in the said Court concerning the said case. It is not clearly shown that the Eddie Fleetwood, who appears by the Docket entry of the Commission to have been admitted to citizenship on November 24, 1896, is the applicant herein.

before the Commission, of Mjerry Fleetwood et al.

The evidence further shows that the said Edmund Fleetwood is a Cherokee by blood, his mother being a full blood Cherokee; that the said Nora A. Webster is the child of the said Edmund Fleetwood, and upon an examination of the Pay rolls of the Cherokee Nation of the year 1896, it appears that the said Edmund Fleetwood and Nora A. Webster are identified on that roll as native Cherokees, the latter under the name of Nora Fleetwood, and the said Edmund Fleetwood is also identified on the 1896 Pay roll of the Cherokee Nation as a native Cherokee.

Sallie J. Webster is shown, by the evidence, to be the minor child of the said Nora A. Webster.

The evidence further shows that the said Edmund Fleetwood has resided in the Cherokee Nation all his life; that he was a resident of said Nation at the date of the application herein; that the said Nora A. Webster resided in the Cherokee Nation all her life up to about three years next before the application for her enrollment, and that during said three years she has resided in the Cherokee Nation. It is considered that the residence of the minor child, Sallie J. Webster, since her birth, has been that of her mother.

It is, therefore, the opinion of this Commission that Edmund Fleetwood, Nora A. Webster and Sallie J. Webster should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

DEC - 1 1902

Cherokee D 1269.
Cherokee D 1193.

Muskogee, Indian Territory, December 2, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting the application of Edmund Fleetwood for the enrollment of himself, and the application of Harris B. Webster for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in these cases, copies of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enclosure H. No. 4.

Cor Cherokee D-1195.

Muskogee, Indian Territory, December 30, 1902.

Edmund Fleetwood,

Hanson, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated December 1, 1902, granting, among others, your said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles

Commissioner in Charge.

Enc. D-404.

Register.

COPY

Cherokee D-1269.
Cherokee D-1193.

Muskogee, Indian Territory, December 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Nora A. Webster, et al, embracing the application of Harris B. Webster for the enrollment of his wife, Nora A. Webster, and his minor child, Callie J. Webster, as citizens by blood, and the application of Edmund Fleetwood for the enrollment of himself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated December 1, 1902, granting said applications.

You are advised that the Cherokee Nation protests against the action of the Commission in these cases, a copy of which protest is inclosed.

Respectfully,

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Enc. M-606.

Cherokee D-1269.
Cherokee D-1183.

Muskogee, Indian Territory, December 20, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application of Harris B. Webster for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood, and the application of Edmund Fleetwood for the enrollment of himself as a citizen by blood of the Cherokee Nation, a copy of which decision was furnished you on December 2, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Enc. 2

4331
Refer in reply to the following:
Land
76077--1902.

(Copy)

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, Feb. 2, 1903.

The honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Edmund Fleetwood, et al., for enrollment as Cherokee citizens. The record shows that the parties included in said application other than the said Edmund Fleetwood are differently classified and are not embraced in the decision of the Commission rendered December 1, 1902, which decision is confined to the case of the said Edmund Fleetwood so far as said application is concerned.

The Commission finds in its decision that the evidence shows that on September 7, 1896, Eljerry Fleetwood, et al., filed their application before the Commission for admission to citizenship in the Cherokee Nation under the Act of Congress of June 10, 1896 (29 Stats.,321); that the applicant, Edmund Fleetwood, does not appear to have been embraced in that application; that the docket entry of the Commission disposing of the case of Eljerry Fleetwood, et al., admitted all those for whom application was made and included the name of Eddie Fleetwood; that the applicant Edmund Fleetwood claims that the Eddie Fleetwood mentioned in said docket

entry was intended for him; that he was embraced in the application of Eljerry Fleetwood, et al., and was admitted to citizenship in the Cherokee Nation by the Commission on November 24, 1896, under the name of Eddie Fleetwood; that it further appears that an appeal was taken from this decision of the Commission in the case of Eljerry Fleetwood, et al., to the United States Court in Indian Territory, Northern District, but it does not appear that Eddie Fleetwood or Edmund Fleetwood was included in that appeal or in any proceedings in the said court concerning the said case; that it is not clearly shown that the Eddie Fleetwood, who appears by the docket entry of the Commission to have been admitted to citizenship on November 24, 1896, is the applicant herein; that it is not shown how Eddie Fleetwood became a party to the said case before the Commission of Eljerry Fleetwood, et al.; that the evidence further shows that the said Edmund Fleetwood is a Cherokee by blood, his mother being a full-blood Cherokee ; that it appears that the said Edmund Fleetwood is identified on the Cherokee payroll of 1883 as a native Cherokee; that he is also identified on the 1890 payroll of the Cherokee Nation as a native Cherokee ; that he has resided in the Cherokee Nation all his life; and that he was a resident of said Nation at the date of the application herein.

By reason of the premises the Commission held in said decision that the said Edmund Fleetwood should be enrolled

as a citizen by blood of the Cherokee Nation in accordance with the provisions of section 21 of the Act of Congress approved June 28, 1898 (30 Stats.,495).

It further appears from said decision of the Commission that on December 11, 1900, Harris B. Webster appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of his wife Nora A. Webster and his minor child Sallie J. Webster, as citizens by blood of the Cherokee Nation. The Commission further finds from the evidence that the said Nora Webster is a child of the said Edmund Fleetwood, and that she is identified on the Cherokee payroll of 1883 as a native Cherokee under the name of Nora Fleetwood; that she has resided in the Cherokee Nation all her life up to about three years next before the application for her enrollment, and that during said three years she resided in the Chickasaw Nation; that Sallie J. Webster is the minor child of said Nora A. Webster; and that the residence of said minor child has been that of her mother since her birth; by reason of which the Commission finds that the said Nora A. Webster and Sallie J. Webster should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of section 21 of the Act of Congress of June 28, 1898 (30 Stats.,495).

The Cherokee Nation has entered a protest, as shown by the record, against the enrollment of these parties as citizens thereof, and goes into a very lengthy argument in support

of such protest. The Nation sets out that at the time Edmund Fleetwood made his application before the Commission he claimed that he had always been a recognized citizen of the Cherokee Nation and made no claim whatever of having been admitted by the Commission to the Five Civilized Tribes in 1896. The office cannot see but what his claim was well founded inasmuch as he had received pay as a citizen of the Cherokee Nation as early as 1883. The Nation further cast some reflection on the claim of the applicant, Edmund Fleetwood, that he is the Eddie Fleetwood included among those admitted by the Dawes Commission, as shown by their docket, in 1896; but the evidence shows that there is no one by the name of Eddie Fleetwood in the Fleetwood family, and that Edmund Fleetwood was frequently designated "Ed" or "Eddie" Fleetwood by those who knew him; and the office can see no reason why, under these facts, the Commission should not have held that Eddie Fleetwood was used on its records as and for Edmund Fleetwood.

The Nation then goes into the matter of the appeal of the Elberry Fleetwood case from the decision of the Commission to the United States Court, which does not show that the case of Eddie or Edmund Fleetwood was appealed.

The fact that his case was not appealed would not bring his application into question in said Court, and the decision of the Commission in his case would be final; and the office can see no ground upon which to disturb that finding of the

Commission at this time, and can see no ground upon which the Nation can successfully protest against the same.

The Nation complains that the said Edmund Fleetwood in no wise participated in making his application to the Commission in 1896, but if the testimony in that case brought out the fact that he was a member of the Fleetwood family and entitled to enrollment and his name placed upon the docket of the Commission, the Commission did no more than was its duty to do, and it was not obligatory upon the said Edmund Fleetwood to make application in his own behalf, but he had a perfect right to accept the judgment of the Commission and take advantage of the same when his name had been among others placed upon the docket.

The Nation further complains that the fact that the said Edmund Fleetwood's name is found upon the rolls of 1885 and 1886 is not conclusive as to his citizenship by blood for the reason that such rolls are unimportant. Attention is then called to the fact that the whole family of Fleetwoods was rejected by what is known as the Adair Court in 1888, including the mother of the present applicant.

The office cannot see that this earlier finding by the Adair Court can interfere with the rights established by the Commission in 1896.

The office considers that under the facts in this case, as shown by the record, the Commission had a perfect right to

consider the application of the said Edmund Fleetwood, and the application of Harris B. Webster in behalf of his wife Nora A. Webster and his minor child Sallie J. Webster, for the reason that the said Edmund Fleetwood's name appeared upon the Cherokee rolls together with that of his said daughter Nora Fleetwood, now Nora A. Webster, and having such right to so consider their applications, had the additional right of finding they were entitled to enrollment under the Act of Congress approved June 28, 1898 (30 Stats.,495).

The office does not believe, as alleged by the Nation in its protest, from the reading of section 21 of said Act of 1898, that the Commission is confined to the roll of 1880, but that it is its duty to investigate the claims of all persons found upon any other rolls, which they have done in this case.

The office is of the opinion that the finding of the Commission herein is in accordance with the evidence submitted on behalf of the applicants, and that its decision finding them entitled to enrollment as citizens of the Cherokee Nation by blood is correct, and should be affirmed by the Department.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

W.C.B.(S)

D.C.-4551 J.P.
FHE

DEPARTMENT OF THE INTERIOR.

I.T.D. 10146-1905. Washington. February 10,1903

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 2, 1903, the Acting Commissioner of Indian Affairs submitted the papers in the case involving the application of Edmund Fleetwood for enrollment as a citizen of the Cherokee Nation, consolidated with the application of Nora A. Webster and Sallie J. Webster for enrollment as citizens of said Nation, transmitted with your letter of December 20, 1902, and recommended that your decision in favor of the applicants be concurred in.

It appears, as stated in your decision of December 1, 1902, that on September 7, 1896, Elijerry Fleetwood, et al., filed their application before your Commission for admission to citizenship in said Nation under the act of June 10, 1896 (29 Stat., 321); that the applicant Edmund Fleetwood does not appear to have been embraced in that application.

It also appears that the Docket entry of your Commission disposing of the case of Elijerry Fleetwood, et al., admitted all those four whose application was made, and included the name of Eddie Fleetwood. This applicant claims that the Eddie Fleetwood mentioned in said Docket entry was intended for him; that he was embraced in the application of Elijerry Fleetwood, et al., and that he was admitted to citizen-

ship in the Cherokee Nation on November 24, 1896, under the name of Eddie Fleetwood, by your Commission.

You state that it is not clearly shown that Eddie Fleetwood, who appears by the docket of the Commission to have been admitted to citizenship in 1896, is the present applicant; that it is not shown how Eddie Fleetwood became a party to said case before the Commission of Kljerry Fleetwood, et al.; that the evidence shows that Edmund Fleetwood is a Cherokee by blood, his mother being a full blood Cherokee: It is shown that said Nora A. Webster is the child of said Edmund Fleetwood and was a minor at the time of the action of November 24, 1896, and her name appears upon the pay roll of the Cherokee Nation for the year 1883.

It also appears that Edmund Fleetwood and said Nora A. Webster are identified on that roll as native Cherokees, and that said Edmund Fleetwood is also identified on the 1890 pay roll of the Cherokee Nation as a native Cherokee.

Sally J. Webster is the minor child of Nora A. Webster.

It appears that Edmund Fleetwood has resided in the Cherokee Nation all his life; was a resident of said Nation at the date of the application herein; that said Nora A. Webster resided in the Cherokee Nation all her life up to about three years next before her application for enrollment before your Commission, and that during said three years she has resided in the Chickasaw Nation.

You found that the parties should be enrolled as citizens by blood of said Nation in accordance with the provision of section 21 of the act of June 28, 1898 (30 Stats., 495).

The Nation protests, contending mainly, and at some length, that Edmund Fleetwood in no wise participated in making this application to the Commission in 1896.

The attorney for the Nation states that just how the name of Eddie Fleetwood ever got upon the Docket of your Commission will perhaps ever remain a mystery, although it is quite clear that the applicant Edmund Fleetwood in no wise participated in making this application, and he contends that Edmund Fleetwood was never recognized as a citizen of the Cherokee Nation; that he was not admitted by the Commission in 1896, and that the name of Eddie Fleetwood was a clerical error made by the clerk who in haste wrote a great many names upon the docket from the papers before him and that no application was made for Edmund Fleetwood as provided by the act of June 10, 1896 (29 Stat.,321); that therefore your Commission acquired no jurisdiction whatever over his case in 1896.

The Acting Commissioner states that if the testimony in the case of Eljerry Fleetwood, et al., brought out the fact that Edmund Fleetwood was a member of the Fleetwood family and entitled to enrollment, and as his name was placed upon the docket of the Commission it was not obliga-

tory upon the said Edmund Fleetwood to make application in his behalf; that he had a perfect right to accept the judgment of the Commission and to take advantage of the same when his name had been among others placed upon the docket; that he considered that the finding of the Commission is in accordance with the evidence submitted on behalf of the applicants, and that its decision finding them entitled to enrollment should be affirmed.

The Department finding no reason to disturb your decision it is hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN.

Acting Secretary.

1 inclosure.

2 1193
2 1269

CHEROKEE.

COPY.

Cherokee
D-1193 & D-1269

Muskogee, Indian Territory, February 20, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application for the enrollment of Edmund Fleetwood and Nora A. and Sallie J. Webster, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 10, 1903.

Respectfully,

Acting Chairman.

COPY.

Cherokee
D-1193 & D-1264.

Muskogee, Indian Territory, February 20, 1903.

Edmund Fleetwood,

Kenwood, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application for the enrollment of yourself, Mary A. and Sallie E. Webster, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 10, 1903.

Respectfully,

Tams Bixby.

Acting Chairman.

Cher 10099

Nora A. Webster

Trans. from D1269

Cher 10099

M E M O R A N D U M

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T. December, 11th 1900.

In the matter of the application of Harris B. Webster for the enrollment of his wife, Nora A. [redacted] Webster and one child as Cherokee citizens. He being sworn before Commissioner Breckinridge testified as follows

Q What is your name? A. Harris B. Webster.
Q What is your age? A. 37.
Q What is your post office address? A. Sallisaw, I. T.
Q For whom do you apply? A. My wife and one child.
Q Do you apply for yourself? A. No sir.
Q What is the name of your wife? A. Nora A.
Q How old is she? A. 18.
Q Is she living? A. Yes sir
Q Is she a Cherokee by blood? A. Yes sir.
Q What degree of Cherokee blood does she claim? A. About 1/16
Q How long has she resided in the Cherokee Nation? A Cannot tell you. At present we are not living in the Cherokee Nation, but in the Chickasaw Nation .
Q What is your wifes fathers name? A. Edmond Fleetwood.
Q Is he a Cherokee by blood? A. Yes sir.
Q What is your wifes mothers name? A. Josie Anderson.
Q Is she living? A Yes sir.
Q Is she a Cherokee or White woman? A. White woman.
Q What is the name of your child? A. Sallie J.
Q How old? A. One year.
Q Is this child alive and living with you at this time? A. Yes sir.
Q Is it a child by your present wife? A. Yes sir.
Q When did you marry her? A. January 1st 1899.
Q Were you ever married before? A. No sir.
Q Was your wife? A. No sir.
Q Has your wife ever resided in the Cherokee Nation? A. Yes sir
Q When? A. I think she lived here the best part of her life.
Q When did she go to the Chickasaw Nation? A. I dont know.
Q Where did you marry her? A. In the Chickasaw Nation.
Q How long had you known her before you were married to her? A. About a year.
Q And you know of your own personal knowledge that she has resided in the Chickasaw Nation for the past three years? A. Yes sir.
Q And you are living there now? A. Yes sir.
Q Was your wife ever admitted to Cherokee citizenship by the Cherokee Council or Commission on citizenship? A. No sir.
Q Did she ever apply to the Dawes Commission? A. I dont think she did
Q Upon what does she base her right to enrollment.
Q By her father and she is on the 1896 and 1898 rolls.
Q Was her father enrolled or admitted in 1896 by the Dawes Commission?
Q Think her name may be in his application, I cant say of sure
Q Did your wife draw money from the Cherokee Nation in 1894? A. I dont know that she did, I was not acquainted with her then, cant say if she did or not.
Q Did you know your wife in June, 1896? A. Yes sir.
Q Was she living in the Chickasaw Nation at that time? A. Yes sir.

The applicant applies for the enrollment of his wife and one child as Cherokee citizens by blood. They are not identified on any of the tribal rolls of the Cherokee Nation in the possession of the Commission The applicant swears that she is a child of Edmond and Josie Fleetwood and attention is called to the testimony [illegible], the case of Edmond Fleetwood. In the testimony of the case of Edmond Fleetwood it appears that he claims to have been admitted to citizenship by the Commission

to the Five Civilized Tribes in the case of Kljerry Fleetwood et al but his name does not appear upon the original application before the Commission or upon the records of the Commission , and simply a memorandum was made of his case also. The mother of the applicant Sallie is a white woman. For the reason that the applicants wife nor her father were ever admitted to Cherokee citizenship either by the Cherokee authorities or by the Dawes Commission or the United States Court the application for the enrollment of said Nora A. Webster and her child Sallie J. Webster will be rejected for the reason that it comes under the provisions of the law of the act of Congress, approved May 31st 1900, the same being the Indian Appropriation Act, which states in speaking to this Commission: "that it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory, who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as as such; and its refusal for such application shall be final when approved by the Secretary of the Interior"

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

(Stenographer

Subscribed and sworn to before me this the 11th of December, 1900

Commissioner.

Allen 250 IV

D1209

DEPT. OF THE INTERIOR
FIVE CIVILIZED TRIBES.
FILED
DEC 18 1900

B1269

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
FILED
DEC 11 1980

Deleted

Statement of Applicant Before Dawes Com.

CHEROKEES BY BLOOD AND ADOPTION

Date DEC 11 1900

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Mrs A. Webster Dolphus I.T.

District Year Page No.

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dallie J Webster Dist. & Year Page No. Age 1

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Applicant's signature to Test

Witness

Applicant's signature

No Card

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED
FILED
JAN 22 1902

Okmulkee I.T.
Oct- 2nd 1894

Wm F McIntosh - came before
me and oath being duly sworne
deposes and says That I married
Mr Edward F Eldewood and Mrs Ellen
wood about eleven (11) years ago
at my home and made a record
of it - but the record was burned
when my house got burnt - but
I had authority to marry them
and did according to existing laws
of the Creek Nation -

Wm Jones
Judge of the Supreme Court

J H Land
Clk.

Memo. 230.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., January 14, 1908.

In the matter of the application of Harris B. Webster for the enrollment of his wife, Mora A. Webster, and one child, as citizens of the Cherokee Nation.

On the 11th day of December, 1906, at Tahlequah, Indian Territory, Harris B. Webster made application for the enrollment of his wife, Mora A. Webster, and his child, Hallie J. Webster, as citizens by blood of the Cherokee Nation.

It appears from the testimony in this case that the applicant's wife is the daughter of Edmond Fleetwood, who claims to have been admitted to citizenship by the Commission to the Five Civilized Tribes under the provisions of the act of Congress approved June 10, 1896, and who has been listed for enrollment by the Commission as a Cherokee by blood on a doubtful card, awaiting further consideration.

In view of the fact that the applicant's wife, Mora A. Webster, was a minor and unmarried when her father claims to have been admitted to citizenship, and may have derived some rights to enrollment by reason of the admission of her father, it is ordered that Cherokee Memorandum Case No. 230, being that of Mora A. Webster, and her child, be cancelled, and that their names be transferred to a doubtful card, awaiting further consideration by the Commission.

It is also directed that this case be considered in connection with the case of the applicant's father, Edmond Fleetwood, Cherokee Card No. D.1125.

It is directed that copies of this statement be filed with the testimony in the above case.

Commissioner.

Cherokee D-1269

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 23,1902.

SUPPLEMENTAL TESTIMONY, in the matter of the application of Nora A. Webster et al for enrollment as Cherokee citizens.

TESTIMONY INTRODUCED ON BEHALF OF APPLICANT.

Appearances:
W.S.Stanfield, attorney for applicants.
Caleb Starr, as representative for Cherokee Nation.
J.L.Baugh, of attorneys for the Cherokee Nation.

NORA A. WEBSTER, being sworn by Commissioner Needles, testified as follows:

BY W.S.STANFIELD:

Q What is your name? A Nora A. Webster.
Q How old did you say you are? A 19. I will be 20 the 15th of this coming September, 19.
Q Are you married or single? A Married.
Q Have you any property in the Cherokee Nation? A Yes sir.
Q What have you? A I have a farm.
Q How long have you had that farm? A I have had the farm ever since I have been born, since I was a small child, I don't know the exact time of the year.
Q What is your husband's occupation? A He is a bookkeeper.
Q Where is he at the present time? A He is at Sulphur in the Chickasaw Nation.
Q What is he doing there? A He is keeping books.
Q Where do you regard as your home? A In the Cherokee Nation where my farm is, with my father.
Q You go out side of the Cherokee Nation with your husband, what is it that calls you away? A He goes out because he got a better job there at the present time.
Q How many children have you? A One.
Q What is that child's name? A Callie Josephine.
Q What relation are you to Kilgerry Fleetwood? A Niece.
Q Where were you born? A I was born in the Choctaw Nation; my mother herself went from here over to her mother's at the time she was confined.
Q Where was your mother living at that time? A She was living in the Cherokee Nation.
Q How soon after your birth was it represented that she returned to the Cherokee Nation? A I wouldn't tell you; a month or two.
Q As soon as she was able to return? A Yes sir, as soon as she was able to return she returned.
Q She went there temporarily during her confinement? A Yes sir.

BY MR. BAUGH:

Q When were you married? A I was married three years ago this last January, first day. That was in 1899 wasn't it?
Q Where were you married at? A In the Chickasaw Nation.
Q Were you living in the Chickasaw Nation at the time you was married? A No sir.
Q What were you doing in the Chickasaw Nation? A I was visiting a chum of mine, a friend, we had went to school together.
Q How long had you been there on that visit? A I had been back about three months when I married.
Q After you were married in the Chickasaw Nation did you return to the Cherokee Nation, you and your husband? A No sir.
Q Have you lived in the Chickasaw Nation continuously since you were married to your husband? A No sir, I have been back up here to my father's; my husband has been down there, I come back and stay two or three months at a time; he has been keeping books.

Q That was only a visit wasn't it? A That is where my farm is, I consider that my home.
Q You spoke of having a farm since you were born, is your farm separate and distinct from your fathers, or is it all one and the same? A He had it put in for me. My father put it in for me, it is right there with him.
Q All in one and the same farm? A Yes sir.

BY COMMISSIONER NEEDLES:

Q Did you ever draw any money from the Cherokee Nation? A Yes sir.
Q Did you draw what is known as the Strip money? A I drawed in '83 and '86.

All the rolls of the Cherokee Nation in the possession of the Commission have been examined for this applicants name and it does not appear thereon.

BY MR. BAUGH:

Q Where were you living at in 1896, five years ago, six years ago? A I was in school at that time; I was in school down here in the Chickasaw Nation, white school.

EDMOND FLINTWOOD, being sworn by Commissioner Needles, testified as follows:

BY W.S.STANFIELD:

Q What is your name? A Edmond Stanfield.
Q About how old are you? A I guess about 58, is the way my sisters and brothers all counts it on me, betwixt 58 and 56 anyhow.
Q What relation are you to the witness who just left the witness stand? A She is a daughter of mine.
Q How old is she? A I guess she must be about 19, somewheres along close to 20.
Q Where was she born? A I sent her mammie to her mammie at Sharp Mountain right opposite where I live now, when her mammie was confined.
Q What Nation is that in? A In the Choctaw.
Q Where were you living at that time? A Right where I am living now.
Q What Nation? A Cherokee Nation.
Q How long was her mother gone? A I guess two or three weeks, until she got up.
Q In what from that time where did your daughter live until she married? A Well she lived with me a good part of the time and part of the time she was at school in the Chickasaw country and part of the time she was to Shakarag to school, and she was at several places at school, but the most of the schooling she got was at Sulphur in the Chickasaw Nation.
Q Who did she marry? A One Mr. Webster, Henry Webster.
Q About how long ago did she marry? A It has been something over two years, I don't know just the date; she was not at my house.
Q Has she any property in the Cherokee Nation? A She has nothing but a farm that I made for her; I made a place for every child I have got to take their allotment and I made her one just the same as the others.
Q Is this farm included in your own farm? A My farms are pretty well connected together, I have betwixt six and seven hundred acres in cultivation, there is very little between [illegible] over half a mile in any of them; I have two or three separate farms, with little patches lay between them.

BY COM'R NEEDLES:

Q What is Nora Webster's mother's name? A Josephine Flintwood, at the time she would have been.

Nora A. Webster et al 3

Q Was Josephine your first wife? A No sir, it was my second wife.
Q Was she a white person? A Yes sir, she was a white person.
Q She was a white woman? A Yes sir.
Q Have you any proof of your marriage between yourself and Josephine? A I don't know whether I have or not; I don't read I don't really know whether I have or not.
Q Josephine is your second wife? A Yes sir.
Q Was your first wife living when you married Josephine? A No sir she was dead.
Q Where did you marry Josephine? A I got her at Muskogee.
Q Married her here in Muskogee? A Yes sir, got her in Muskogee.
Q Who married you? A William P. McIntosh.
Q Married by United States law or by Indian law? A By the Indian law.
Q McIntosh living? A No sir, he is dead now; he died about a year ago.
Q You have no certificate of marriage? A Yes sir, had one.
Q Have you got it now? A No sir, my papers, I can't read and write and my children destroy them, I can't hardly keep nothing; because I aint no scholar myself, I am uneducated and it is difficult for me to keep them.
Q Is Josephine living? A She is alive and married to another man.
Q You are not living with her now? A No sir, we separated about a year after.
Q Have you any testimony that you could prove your marriage to your wife Josephine, the mother of the applicant? A None only my sister thatis here, but she didn't see us married. Yes, I could prove it by the daughter, she saw the marriage certificate, if that would do any good, if that would be valuable.

COM'R BREENE: It will be necessary for satisfactory proof of marriage between Edmond Fleetwood and his wife Josephine, mother of the applicant, to be filed. This testimony will be made part of the record in the case of Nora A. Webster et al. Citizenship of applicant, Nora A. Webster, will depend entirely upon the citizenship of her father Edmond Fleetwood, who is listed for enrollment on R-1193.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this January 29,1908.

F. L. Breene

Commissioner.

Supl. C. D.#1269.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 20, 1902.

The case of Nora A. Webster, et al., as enrollment as citizens of the Cherokee Nation having been set for hearing on this day, the following proceedings were had before the Commission:

Appearances:
Mr. W. S. Stanfield, Attorney for Applicant;
Mr. W. W. Hastings, Cherokee Representative.

Com'r Needles: Anything you desire to offer, Mr. Stanfield?

Mr. Stanfield: Nothing but the Dawes Commission records admitting Eddie Fleetwood.

Com'r Needles: Applicant presents the record of this Commission for the year 1896 as to the application of Eddie Fleetwood. A copy of said record will be made part of the record in this case.

Mr. Hastings: This includes all of the record in the matter of the application of Kilgery Fleetwood, et al., for citizenship, not only before the Commission, but on appeal to United States Court and the record of that Court in that case.

Com'r Needles: Attorneys stipulate that they have no further testimony to offer in this case, consequently the case is closed for final decision.

---oo0oo---

J. O. Reeves, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this February 20, 1902.

Commissioner.

File with C. D. #1269.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 10, 1902.

The following statements made by Mr. W. S. Stanfield and Mr. W. W. Hastings in the matter of the enrollment of Samuel Holmes, et al., for enrollment as citizens of the Cherokee Nation, are ordered by the Commission to be filed in the matter of the application for the enrollment of Nora A. Webster, et al., as citizens of the Cherokee Nation:

. . . . . .

Com'r Needles to Mr. Stanfield: If you desire to make any statement of the case the stenographer will take it down.

Mr. Stanfield: Well, just a short statement.

Com'r Needles: Attorney for applicant desires to make the following argument as to the rights of parties:

Mr. Stanfield: In the matter of the application of Edmond Fleetwood for enrollment attorney for Fleetwood desires to call attention to the fact that Fleetwood was admitted to citizenship by the Dawes Commission in '96, as shown by their records, being a brother of the principal applicant, Kinjerry Fleetwood; that he was admitted at that time under the name of Eddie Fleetwood; that from the decision of the Dawes Commission admitting Eddie Fleetwood to citizenship no appeal has been taken; the Cherokee Nation having set out in its application for appeal the names of the parties whose cases it desired to appeal from the decision of the Dawes Commission; that by the records in the case it appears that the application of Eddie Fleetwood for citizenship has never been reconsidered since his admission to citizenship by the Dawes Commission.

The United States Court in passing upon the case, neither rejecting nor admitting him to citizenship, but declaring the other applicants in the case appealed from the decision of the Dawes Commission to be citizens and having been citizens all the time; expressly refusing to admit them to citizenship, but declaring them to be citizens.

The proof on file shows that Eddie Fleetwood and Edmond Fleetwood, the party who now applies to be placed upon the roll, are one and the same party, and consequently the Edmond Fleetwood who now applies stands admitted by the decision of the Dawes Commission, without any further action upon his case.

Attorney for applicant requests a thorough examination of the records in this case before the Dawes Commission in 1896 and before the United States Court, and especially the application for appeal by the Cherokee Nation from the decision of the Dawes Commission admitting the parties to citizenship. The same request is made in the case of Samuel Holmes, et al., and Nora Webster, et al., Minutes access to this case.

Mr. Hastings: The representatives of the Cherokee Nation contend that the applicant, Edmond Fleetwood, is not a citizen of the Cherokee Nation either by blood or adoption; that his name does not appear upon any of the rolls of the Cherokee Nation, and therefore comes under the Act of May 31, 1900, unless admitted by the Dawes Commission or the Court on appeal under the Act of June 10, 1906, and contends that he was not admitted either by the Dawes Commission or by the Court on appeal, and points to the record on file in this case to show that this contention is true.

The Cherokee Nation contends that the name of this applicant does not appear in the original application, was not admitted by the Commission, and was not admitted by the Court on appeal.

Com'r Needles: This case will be considered closed as to any further testimony, and the parties will be notified of the final decision of the Commission in the matter.

---oooOOOooo---

J. O. Pearson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he copied the foregoing statements from the original statements made in the matter of the enrollment of Samuel Homes, et al., as citizens of the Cherokee Nation; said original statements having been recorded and reduced to writing by me as stenographer to above named Commission.

J. O. Pearson

Subscribed and sworn to before me this February 10, 1908.

Commissioner.

APPLICATION FOR REMISSION AND ENROLLMENT.

Before the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas J. Columbus and Alexander B. Montgomery, constituting the United States Commission to the Five Civilized Tribes.

Kilpatrick Fleetwood,
Sarah Ward,
Lafayette Tool,
Samuel Tool,
[illegible],
[illegible] Tool,
Johnson Fleetwood,
Lindsey Fleetwood,
[illegible] Fleetwood,
[illegible],
Charlie Brown,
Cecelia E. Brown,
Myrtle Brown,
[illegible] Brown,
Stephen [illegible],
[illegible],
William Lafayette Tool,
Minnie Tool,

Stephen H. C. Edwards,
Cecelia E. Brown,
Willie Fields,
[illegible],
[illegible],
[illegible],
Emma Fleetwood,
[illegible],
Willie Fleetwood,
[illegible],
[illegible],
Myrtle Brown,
Charlie Brown,
[illegible],
[illegible],
[illegible] Tool,
[illegible]

VERSUS

The Cherokee Nation of the Indian Territory

[illegible]

Come now the above named petitioners in person and by their attorneys Don-Carlos and Stanfield and make this their application and petition to this Honorable Commission for the purpose of being placed on the revised roll of the Cherokee Indians and of those Cherokee Indians entitled to share in the distribution of funds and allotments of land and other property in the Cherokee Nation by virtue of their Cherokee blood and extraction, and herewith submit the evidence hereto attached and made part hereof, to-wit:-

The affidavit of Lucinda Fleetwood,	Marked Exhibit, 1.
The affidavit of Charles Wickliffe,	marked Exhibit, 2.
The affidavit of Nathaniel Fish,	marked Exhibit, 3.
The affidavit of Rachel Smith,	marked Exhibit, 4.
The affidavit of William Matoy,	marked Exhibit, 5.
The affidavit of E. D. Carey,	marked Exhibit, 6.
The affidavit of Walter A. West,	marked Exhibit, 7.
The affidavit of James C. Childers,	marked Exhibit, 8.
The affidavit of Nancy Star,	marked Exhibit, 9.
The affidavit of William Matoy,	marked Exhibit, 10.
The affidavit of J. L. Ward,	marked Exhibit, 11.
The affidavit of James Tincup,	marked Exhibit, 12.
The affidavit of Peter Hick,	marked Exhibit, 13.
The affidavit of Watson Sanders,	marked Exhibit, 14.
The affidavit of Wilson Cimlin,	
The affidavit of Wilson or Wee lee-sunee,	marked Exhibit, 15.
The affidavit of Simon Johnson,	marked Exhibit, 16.
The affidavit of T. N. Buffington,	marked Exhibit, 17.
The affidavit of Stephen D.C.Edwards,	marked Exhibit, 18.
The affidavit of W. W. Brown,	marked Exhibit, 19.
The affidavit of Willie Meeks,	marked Exhibit, 21.
The affidavit of W. S. Stanfield,	marked Exhibit, 22.
The affidavit of Elgerry Fleetwood,	marked Exhibit, 23.
The affidavit of John W. Webb,	marked Exhibit, 24.
The affidavit of Stephen D.C.Edwards,	marked Exhibit, 25.
The affidavit of William C. Woodall,	marked Exhibit, 26.
The affidavit of LaFayette Teel,	marked Exhibit, 27.
The affidavit of W. C. Woodall,	marked Exhibit, 28.
" " Stephen D.C.Edwards,	" " 29.
" " J. A. Deshazo,	

Your petitioners in further support of this application make reference to and part hereof the documentary evidence hereto attached, to-wit:-

The Administrator's Bond of Lucinda Fleetwood to the Judge of the District Court of Delaware District of the Cherokee Nation. . . . . marked Exhibit "A."

The certified copy of the Marriage Record of Delaware District of the Cherokee Nation showing the grant of a license to a Citizen of the United States to marry Sarah Fleetwood, a Citizen of the Cherokee Nation, marked Exhibit "B."

The certified copy of the Jury Record of Delaware District of the Cherokee Nation showing Lafayette Teel was summoned as a Juror to a Cherokee Court, marked Exhibit "C."

The certified copy of the Common Law Record No. 27 of the Court of the United States within and for the Western District of Arkansas showing the trial of Stephen D. C. Edwards and the verdict of the jury that, that Court had no jurisdiction. . . .

marked Exhibit "D"

The certified copy a portion of the Record in the office of Indian Affairs in the Department of the Interior of the United States of America at Washington, D. C., showing an excerpt copy of one of the Cherokee Record Books that shows the agreement of Hosiah Morgan Sr., to remove and settle with his family on the land provided for the Nation West of the Mississippi, on condition that he be paid by the United States for his abandoned improvements, ...

marked Exhibit "E."

The certified copy of a portion of the Record in the office of Indian Affairs in the Department of the Interior of the United States at Washington, D. C., showing the improvements of Hosea Morgan near the Missionary on the High Wasse River and the value of the same, ...

marked Exhibit "F."

The certified copy of a portion of the Record in the office of Indian Affairs in the Department of the Interior of the United States at Washington, D. C., showing that Hosia Morgan Sr. was the head of a Cherokee family of ten persons who started from the Cherokee Agency East on the 14th day of March 1834, in company of a number of other Cherokee Indians under the direction of Lieut. J. W. Harris for a removal West of the River Mississippi, ...

marked Exhibit "G."

Your petitioners make reference to and part hereof the different rolls of Cherokee Indian Citizens which your petitioners believe will disclose the names of a number of your petitioners. Your petitioners make particular reference to and part hereof the rolls of Cherokee Citizens taken prior to the time of the removal of the said Hosia Morgan Sr., to-wit: Prior to the 14th day of March 1834 which your petitioners believe contains th name of Hosia Morgan Sr., an ancestor of your petitioners.

That none of your petitioners have ever taken any allotment of land or other property nor have any of your petitioners ever violated the treaty laws or treaties existing between the United States and the Cherokee Nation. That none of your petitioners have ever become a member or Citizen of any other Tribe, State, Nation or Government.

The names and ages of your petitioners and the relation they bear to your petitioner verifying this application are as following,-

Name	Age	Relationship to Petitioner
Stephen D. C. Edwards,	(35)	Affiant,
Elijah Hammond,	(40)	Maternal Uncle,
Sarah [illegible]	(44)	Maternal Aunt,
Martha C. Brown,	(36)	Maternal Aunt,

LaFayette Teel,	(38)	Maternal Half Brother,
Willie Hooks,	(17)	Maternal Cousin,
Samuel Hooks,	(15)	Maternal Cousin,
Andrew Palmore,	(21)	Maternal Cousin,
Susan Palmore,	(19)	Maternal Cousin,
Grover Cleveland Ward,	(12)	Maternal Cousin,
.....Ward, (son)	(10)	Maternal Cousin,
.....Ward, (son)	(8)	Maternal Cousin,
Johnnie Fleetwood,	(18)	Maternal Cousin,
Roxie Fleetwood,	(16)	Maternal Cousin,
Minnie Fleetwood,	(13)	Maternal Cousin,
Arista Fleetwood,	(12)	Maternal Cousin,
Zelma Fleetwood,	(9)	Maternal Cousin,
Willie Fleetwood,	(6)	Maternal Cousin,
Luvena Fleetwood	(4)	Maternal Cousin,
Juley Fleetwood,	(2)	Maternal Cousin,
Cassie Brown,	(17)	Maternal Cousin,
William D. Brown,	(14)	Maternal Cousin,
Leslie I. Brown,	(12)	Maternal Cousin,
Martha Brown,	(10)	Maternal Cousin,
Myrtle Brown	(8)	Maternal Cousin,
Grover Brown,	(4)	Maternal Cousin,
Lottie Brown,	(2)	Maternal Cousin,
Zelma Edwards,	(13)	Daughter,
Stephen Edwards,	(11)	Son,
Rena Edwards,	(1/2)	Daughter,
Minerva Jane Bennell,	(17)	Daughter of Maternal Half Bro
Carrie Ann Teel,	(14)	Daughter of Maternal Half Bro
William LaFayette Teel,	(10)	Son of Maternal Half Brother.
John Hugh Teel,	(8)	Son of Maternal Half Brother.
Mamie Teel,	(1)	Daughter of Maternal Half Bro

Therefore your petitioners pray that their names be placed upon the revised roll of Cherokee Indians and that they be readmitted to membership in the Cherokee Nation of Indians. And that they be accorded all of the rights, privileges, benefits and immunities accorded to any other member of the Cherokee Nation.

(Signed) Stephen D. S. Edwards.

Subscribed and sworn to before me this the 6th day of Sept. 1896.

(Signed) Harry E. Des-Carlos.

SEAL

Notary Public, My Commission Expired May 11th, 1900.

EXHIBIT "1."

[illegible]

[illegible] A. D., 1897.

Personally came before me, L. F. Ward, Judge of the District and Judge [illegible] at my office on the said date above written, [illegible] Fleetwood of lawful age, who after being duly sworn deposeth

and saith: We lived betwixt Valley River and little Nimrod River in Toco-ee District and went to school at James' Station. We enrolled under Major B. F. Curry, United States enrolling officer, and he delived us to Lieutenant Harris at Calhoun where we took water in 1834 in Flat Bottom Boats and came to Water-loo— when we took steam boats and came 40 miles above Little Rock at a place called Burnt Caddon's—from there we traveld to Fort Gibson in Government wagon's. My father died at Burnt Caddons and John Miller took charge of the Family and brought us on and attended to the drawing of Rations and supplies as furnished by the government for use of the family. I have lived in the Cherokee Nation ever since with the exception of 6 years when I was first married. I married a soldier at Fort Gibson and went to Leavenworth untill my husband served out two terms or 5 years and I came right back again to the Cherokee Nation. From this marriage resulted the following children

Minerva was the eldest,		aged, borned Dec. 20th,	1835.
Lorinzo	Borne$	May 1st,	1837.
Charles	"	Feb. 13	1839.
William	"	Oct. 27,	1840.
Miles	"	Aug. 13,	1842
Prura	"	Aug 24,	1844.
Edmond	"	Mch. 8	1846
Newton	"	May 31	1848
Delphony	"	April 22,	1850.
Sarah	"	April 20,	1852.
Quille	"	June 26,	1854.
Kljerry	"	April 30,	1856.
Martha De	"	May 11,	1859
Lucinda	"	April,	1861.

Of the above named children Minerva, Lorenzo, William, Charles, Aquille, Delphony, and Lucinda are dead, and to my daughter Minerva were born Lafayette Teel, Steve, Edmond and Lewy Timsp. And to my son Aquille four children were born. Their names are Johnnie, Arizona, Roxie and Minnie Fleetwood.

To my daughter Prura were born Jas Co— Eddie Jenkins. This is as far as I kn—

I have always been recognized as a Cherokee and since I can recollect untill within the last few years. I went to a school there no one was allowed to go to except the Cherokees. Have exercised all the privileges guaranteed to Cherokees indiscriminately. Bought and sold improvements on public improvements in the public domain, and the purchase and sale was always considered valid. My son's voted at Elections without a challenge, in fact, I have never knew any other place or [illegible]. I never recognized any other place as such and have always [illegible] myself a Cherokee Indian and never knew a doubt existed [illegible] untill this matter got up. And further deponent saith not.

(Signed) Lucinda Fleetwood.

Sworn to before me on this the 20th day of June A. D. 1887.

(Signed) J. L. Ward,
Judge Del. Dist. C.N.

P.S.—This certifies that I have known witness for years and never knew or heard anything [illegible] her character.

(Signed) J. L. Ward, J. D. D. C. N.

over

Attest this [illegible] day of [illegible] 1887.

(Signed) F. L. [illegible], Lewy
[illegible] Del. C. N.

(SEAL)

Indorsements on back of Exhibit "1" are as follows:

1102.

Affidavit of Lucinda Fleetwood.

INDIAN OFFICE
31108 E 1894
Enclos. No. 8.

Ellerry Fleetwood

Affidavit

of

Lucinda Fleetwood

C. K.

No. 12.

COMMISSION ON CITIZENSHIP.

Tahlequah, Cher. Nat.

Sept. 15th, 1894.

LUCY FLEETWOOD }
vs. } EXHIBIT "2"
CHEROKEE NATION }

[redacted]

Sworn to and subscribed before me this Sept. 15th, 1884.

John L. Adair,
Clerk Com.

EXECUTIVE DEPARTMENT, C. N.
Aug. 5th, 1896.

I hereby certify that the three foregoing pages of manuscript is a true copy of the original.

(Signed) W. H. Mayes,
Asst. Executive Secty.

SEAL)

EXHIBIT "3"

Affidavit of Nathaniel Fish in re Lafayette Teel.

My name is Nathaniel Fish; I am about 86 years of age. I am a member of the Cherokee tribe of Indians. I was born in the State of Georgia about thirty miles from North Carolina. I lived there until after I was married. I was removed from there in 1839, and brought into the Cherokee Nation, I. T. I have lived in the Nation ever since. I was acquainted with Moses Morgan while I was living in Georgia. I was well acquainted with him while there: that I never saw him after about 1836. I was acquainted with his children while there. I have known and seen his descendants ever since I have been here. I know that they were always known and recognized as Cherokees. I know Lafayette Teel. I have known of him all his life. I know that he is a descendant of Moses Morgan. His mother Minerva Teel, nee Fleetwood, was the daughter of Lucinda Fleetwood, nee Morgan, the daughter of Moses Morgan. These descendants have always been considered and recognized as citizens of the Cherokee Nation. They have always enjoyed and exercised all the rights of citizenship. During many years I lived as near neighbors to them being only about 10 miles apart with the same Cherokee as a schools. I know that they were considered Cherokees and not Catawbas.

(Signed) Nathaniel Fish.

AFFIDAVIT OF MRS. RACHEL SMITH.

My name is Rachel Smith. I am about 75 or 76 years of age. I was born in Georgia. My maiden name was Rachel Heffington. I was removed to the Cherokee Nation in [illegible]. I was acquainted with the children of Moses Morgan. I [illegible] with three of them at [illegible] I have been [illegible] moved to the Nation in [illegible] Morgan and his family [illegible] I have [illegible] stood the rights of citizenship [illegible] with his descendants ever since I have been here in the Nation, having lived as neighbors with them during that time and the families living only about 8 miles apart. I am well acquainted with Lafayette

Teal have known him all his life. I know that he is a descendant of Hanse Morgan through his mother. His mother, Minerva Teal, nee Fleetwood, being the daughter of Lucinda Fleetwood, nee Morgan. My old schoolmate the daughter of Hanse Morgan. They have always been considered citizens and have enjoyed and exercised the rights of citizenship all the time. Minerva Teal the Granddaughter of Hanse Morgan has three children, Lafayette Teal is the youngest, of the family.

her
(Signed) Rachell Smith.
mark.

Witness
W. S. Bartlett.

I hereby certify that the above affidavits were taken before me at my office in Fort Smith, Ark., through Stephen Edwards, an interpreter, who was first duly sworn and were subscribed and sworn to before me this 27th day of July, A. D., 1896.

(Signed) W. S. Bartlett,
Notary Public.

(SEAL.)

STATE OF ARKANSAS, }
: FORT SMITH DISTRICT.
COUNTY OF SEBASTIAN }

I, J. P. Durden, Clerk of the Circuit court within and for said country of Sebastian, do hereby certify that W. S. Bartlett whose signature appears to the foregoing instrument of writing, is, and was on the 27 & 29th days of July, 1896, an acting and duly commissioned Notary Public within and for the county aforesaid, that his official acts are entitled to full faith and credit, and that his signature is genuine, as I verily believe.

IN TESTIMONY WHEREOF, I have hereunto set my hand as such clerk and affixed the seal of said court at my office this 28th day of August, 1896.

(Signed) J. P. Durden, Clerk.
By Edgar L. Scruggs, D. C.

(SEAL)

Endorsements on back of Exhibit "J" are as follows:

Affidavits of Nathaniel Fish and Mrs. Rachel Smith,
in Re Lafayette Teal.

FILED OFFICE
Aug 28, 1896.
Indian Ter. &c.
Sherry Fleetwood.
No. 19.

UNITED STATES OF AMERICA.)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT)

I, William Nasty, of lawful age after being duly sworn on oath depose and say as follows, to-wit:- That I am about eighty years old and live in the Cherokee Nation, Delaware District and my Post office is South West City, Mo. I am a Cherokee Indian by blood and recognized as such

That I lived in the old Nation, now in the State of North Carolina and that while I lived there I was acquainted with Hesin Morgan Sr. and went to school with his children in the Old Nation. That he had a child by the name of Lucinda Morgan. That they moved from the old Nation to the Cherokee Nation, with the emigrants under J. W. Harris, about 1834. That I did not come to the Cherokee Nation for some time after this, about 1875, and when I came to the Cherokee Nation I found the above mentioned Lucinda Morgan here in the Indian Territory, Delaware District, in about four or five miles of Maysville, Ark. She represented to me that she was a widow having married a man by the name of Fleetwood, and he having died.

his
(Signed) William X Nasty.
mark.

Witness
(Signed in Cherokee)

Subscribed and sworn to before me this the 1st day of August, 1896, and I hereby certify that I erased the words "That" and was and inserted the words "now" and "for" before the affiant signed and swore to the same. And that I made the affiant acquainted with the contents thereof prior to his signing the same.

(Signed) W. S. Stanfield.
Notary Public. My Commission Expires September 17th, 1899.

(SEAL)

EXHIBIT "5"

UNITED STATES OF AMERICA)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, E. D. Carey, of lawful age after being duly sworn on oath deposes and says, that I am sixty-four years past. That I live on Grand River at Carey's ferry in the Indian Territory. I have resided in the Cherokee Nation for about sixty-one years that I was about three years old when my parents moved here from North Carolina in the old Nation. I am a recognized Cherokee Indian by blood. I knew Charles and Lucinda Fleetwood who lived together as husband and wife about the year 1854 near Carey's ferry. That they had quite a large family of children but do not know the names of them all. Those that I do remember were named, Thomas, Jeremiah, Charley, William, Miles, Ed and Houston, and other that I cannot remember now. That Reserve Fleetwood afterwards lived with a man by the name of Reynolds as husband and wife and child there was born to them one child by the name of Stephens D. C. Reynolds. That it was reported that the husband of Stephens Reynolds was Fleetwood, died soon after the birth of Stephens D. C. Reynolds. After his death

his wife and her son Stephen D. C. Edwards lived at my house for some time. While she was living at my house she had born to her another boy as she told me by her second marriage to a man by the name of Teel. That the said child was named LaFayette Teel and as I understood he, LaFayette Teel, was and is a half brother to Stephen D. C. Edwards.

his
(Signed) S. D. X Carey
mark.

Witness mark:
Stephen D. C. Edwards.

Subscribed and sworn to before me this the 31st day of July, 1896. And I certify that the erasures of the words "Numa," "Teel", "born to her" and the interlining of the words "Fleetwood" and "house" were made by myself prior to the signing by the affiant and that I made the affiant acquainted with the contents thereof before he signed the above affidavit.

(Signed) W. S. Stanfield
Notary Public, My Commission expires September 17th, 1899.

(SEAL)

EXHIBIT 6.

UNITED STATES OF AMERICA }
INDIAN TERRITORY : SS.
NORTHERN DISTRICT. }

I, Walter A. West, being first duly sworn on oath depose and say my name is Walter A. West my age is fifty five years I am a Cherokee Indian by blood and reside in the Cherokee Nation, where have reside all my life except during the late war. When a small child I became acquainted with Charles and Lucinda Fleetwood, they were husband and wife and in about the year 1851 resided with their children about seven miles East of the Saline Works in what is now Saline District of the Cherokee Nation. Charles and Lucinda Fleetwood were the parents of a large family of children consisting of Minerva, Lorenzo, Miles, Charles, William and Edmond and possible others whom I have forgotten. I lived about five hundred yards from this family at the time above mentioned and my acquaintance continued with said family until the breaking out of the war, when I left the Cherokee Nation.

(Signed) Walter A. West.

Subscribed and sworn to before me this the 29th day of July, 1896.

(Signed) Harry E. Dom-Carlos.
(SEAL) Notary Public, My Commission Expires May 11th, 1900.

The following endorsements on back of Exhibit "6".

Edgecy Fleetwood. Affidavit of Walter A. West.

(SEAL)

EXHIBIT 7.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT)

I, James C. Childers being first duly sworn on oath depose and say my name is James C. Childers, I am 46 years of age and reside in the Seneca Indian Reservation in the Northern District of the Indian Territory. I lived with my parents before the late war in the state of Missouri about eighty rods from the Indian Territory line and I have a distinct recollection of many of our neighbors, among whom were Charles Fleetwood and his wife, Lucinda Fleetwood, and their children. The Fleetwood's lived in the Indian Territory about twelve miles from my father's home and I was well acquainted with them. The father and mother were Charles and Lucinda and they lived together as husband and wife and their children were Minerva, a girl who was married and a number of other children among whom were Miles, Edmund, Quilla, Newston, Jerry, (Eljerry,) Sarah, Delphemy, and possible one or two others whose names I have forgotten. About the year 1872 I became acquainted with Stephen D. C. Edwards and was told by the said Lucinda Fleetwood that he, the said Edwards was the son of the daughter of Lucinda and Charles Fleetwood, to)wit: the son of Minerva Fleetwood who had married a man by the name of Edwards, Several of the other Fleetwood children also told me that said Stephen D. C. Edwards was Minerva's child.

(Signed) James C. Childers.

Subscribed and sworn to before me this 29th day of July, 1896.

(Signed) Harry E. Don-Carlos.

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

EXHIBIT 8.

Northern Judicial Division; Delaware District, C. N.

Personaly appeared before me, M. L. Grazier, a Notary Public, Nancy Starr, being sworn according to law make oath to the following statement: I am a Cherokee by blood. My present age is 90 years old. I am a citizen by blood and a resident of the Cherokee Nation. I was Well acquainted with Lucinda Morgan in the old Nation; I lived Near Neighbors to her in the old Nation. I know that she is a Cherokee by blood; her mother was an Indian; she was my aunt; she was my father's sister. My father's name was Wah chee nah. I was acquainted with Lucy's mother. Her name was called Awee. Awee husband name was Jaweee. They came to the Cherokee Nation together. The mother of the claimant was a Creek blood Cherokee Indian. The affiant further states under oath that she has no interest direct or indirect in the prosecution of the claim. her

(Signed) Nancy X Starr.
mark

Witness:
S. H. Brown, M. D.

Sworn and subscribed to before me N. L. Grazier N. P.
this the 18 day of August, 1896. My term expires Jan 20, 1897.
(SEAL)

-------o-------

EXHIBIT 9.

UNITED STATES OF AMERICA,)
: SS.
WESTERN DISTRICT OF ARKANSAS.)

In the case of Martha W. Brown claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me William F. Parsons, a Commissioner U. S. Dist. Court, within and for the District aforesaid duly authorized to administer oaths William Matoy to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is William Matoy, my age is about 70 years, my post office is Southwest City, Mo., I am a farmer by occupation, I am a citizen of the Cherokee Nation.

And affient declares in relation to the abovenamed case as follows, to-wit: I was personally well acquainted with Hoseah Morgan, Sr. Decd. and his family in the old Cherokee Nation East, on Nockly river, what is now Cherokee County North Carolina, for some time prior and up to the year 1834. Said Hoseah Morgan Sr. Decd. was there known, and acknowledged to be a Cherokee Indian by blood, and from his personal appearance judged him to be such, the same as many other other well known Cherokees. That he does not now remember the name of said Hoseah Morgan's wife; that he was intimately well acquainted with three of their children, one called Lucinda Morgan, a girl, one called Frankie Morgan, a girl, and called Hoseah Morgan, a boy, that his home was then only about two hundred or three hundred yards from the residence of said Hoseah Morgan Sr. Decd. That he has information the said child Lucinda Morgan married a man named Charles Fleetwood, and that the claimant, Martha W. Brown, nee Martha W. Fleetwood is the daughter of said Lucinda Fleetwood, nee Lucinda Morgan. That said Hoseah Morgan Sr. Decd. with his family was enrolled by the United States Government as Cherokee Indians, in the old Cherokee Nation aforesaid, and were in a detachment of about four hundred (400) Cherokees by the U. S. Government removed to the Indian Territory.

his
(Signed) William X Matoy
mark.

Attest mark
Edward Byrd.
W. O. Charnley

Subscribed and sworn to before me at Tahlequah Ind. Terry. this seventeenth day of November A. D., 1896.

(Signed) W. F. Parsons,
United States Commissioner.

(SEAL) O. K.

EXHIBIT 10.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, J. L. Ward of lawful age after being duly sworn on oath depose and say as follows, to-wit:- I am fifty one years old and resident of Delaware District, Cherokee Nation. I have been acquainted with Rachel Smith for about twenty eight years and have lived about six or seven miles apart and I never heard anything derogatory to her character. She is a very old lady. I further depose and say that at the request of Lucinda Fleetwood I wrote to the Department at Washington City, D. C., for information as to whether Hosia Morgan was shipped here as a slave or as an indian and in reply the Department sent me a portion of the rolls showing the name of Hosia Morgan and others who were brought here under J. W. Harris. The Department also sent me a letter stating that there was abundent evidence there showing that Hosia Morgan was a recognized citizen and held property in the old Nation in what is now North Carolina, Georgia, Tennessee and part of Alabama.

(Signed) J. L. Ward.

Subscribed and sworn to before me this the 3rd day of August, 1896. And I further certify that I erased the word "years" before the affiant signed and swore to the above affidavit.

(Signed) W. S. Stanfield,
Notary Public, My Commission expires
September 18th, 1899.

(SEAL)

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OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

CHEROKEE NATION/)
DELAWARE DISTRICT)

EXHIBIT 11.

April 24th, A. D., 1889.

Personally appeared before me the undersigned authority James Tincup who after being duly sworn states as follows. I am a citizen of the Cherokee Nation of lawful age and have been acquainted with Lucinda Fleetwood, the Grandmother of LaFayette Teel, have known Teel and his mother about 22 years. LafayetteTeel's mother and Grandmother all lived together. I first knew them and Lafayette's Mother was the wife of Wilson Grinlin who had at that time two other children older than Lafayette that was the issue of a former marriage. Teel must have been 5 or 6 years of age when I first saw them. Their Indian blood was questioned at times, but they were recognized as Citizens. Lafayette afterward served as Juror, acted as Deputy Sheriff, guard and &c. I believe it a malicious accusation to defame the character of the family by some designing persons that this report was circulated. Edmond Fleetwood my uncle of Lafayette never has been disputed as a Cherokee and received his per Capita votes and is Identified in every respect not only as a Cherokee but as a citizen. Lafayette voted in our elections and was not questioned as to his right to vote as other Cherokees, & further deponent saith not.

(Signed) James Tincup.

Subscribed and sworn to before me on this the 24th day of April A. D., 1889.

(Signed) J. L. Ward, Judge Del. Dist. C. N.

EXHIBIT 12.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

Maysville, I. T., July 27th, A. D., 1888.

CHEROKEE NATION.)
DELAWARE DISTRICT.: SS.

Peter Wick of lawful age resident of Delaware district Cherokee Nation after being duly sworn states as follows, to-wit:

I have known S. D. C. Edwards and Lafayette Teel since we were boys together and never knew or heard other than that they were brothers. I have known them about 20 or 25 years, the same mother acknowledged both as her children. The boys (S. D. C. Edwards and Lafayette Teel) always called her mother. I was raised up with them. Their mother's name was Minerva Wilson at the time I first became acquainted with them. Further deponent saith not.

his
(Signed) Peter X Wick.
mark.

Witness to mark:
S. D. C. Edwards.

The above named (Peter Wick) personally appeared and made oath that the foregoing declaration by him subscribed is true. Before me. (Signed) J. L. Ward.
Judge Del. Dist. C. N.
Attest this 28th day of July A. D., 1888.
(Signed) P. L. Walker, Depty Clerk Del. Dist. C. N.

OFFICE OF J. L. WARD.
Judge Delaware District, Cherokee Nation, I. T.

EXHIBIT 13.

April 27th A. D., 1888.

CHEROKEE NATION.)
DELAWARE DISTRICT.)

Personally appeared before me the undersigned authority Watson Sanders who after being duly sworn states as follows: I have been acquainted with Lafayette Teel about 20 odd years, and never knew him to be other than a Cherokee Indian. He enjoyed all the rights of other Cherokees. He voted at elections without challenge, served on Juries, served as guard in Sheriff's Posse, acted as Deputy sheriff in serving summons, and was generally counted as a peaceable & reliable citizen. Lafayette Teel's mother was the wife of

Wilson Cimblin and a daughter of Lucinda Fleetwood. They lived in this neighborhood or the locality. I live in ever-since I first knew them. I live in Delaware District, Cherokee Nation, Indian Territory. And further Depoment saith not.

his
(Signed) Watson X Sanders.
mark.

Subscribed and sworn to before me on this the 27th day of April A. D. 1889.

(Signed) J. L. Ward,
Judge Delaware Dist. Cher. Nation.

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EXHIBIT 14.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

April 24th A. D. 1889.

CHEROKEE NATION)
DELAWARE DISTRICT.)

Personally came before me the undersigned authority Wilson Cimlin who after being duly sworn states as follows: I was husband to the mother of Lafayette Teel and she was a daughter of Lucinda Fleetwood. I married Lafayette Teel's mother when Lafayette was about four years old. I never heard of her being anything but a Cherokee Indian. I am a full blood Cherokee and cannot talk the English language nor understand it, and my wife (Teel's mother) spoke the Cherokee Language. If Teel is anything else but a Cherokee Indian I have never known it. I have heard that Teel's Indian Blood was disputed but have always thought it was the work of enemies to try and throw a slurr upon the family. I have known the family about 27 years & just now and then or at rare intervals this dispute as to their origin would spring up. So far as my knowledge goes I believe they are Cherokee Indians the same as I am. Further deponent saith not.

(Signed) Wilson Cimlin.

Sworn & Subscribed to before me on the day and date above written.

(Signed) J. L. Ward,
Judge Del. Dist, Cher. Nation.

Endorsements on Back:
"Affidavit of Wilson Cimblin. Vol2. F 31103 Indian Office, Inclos. No. 9. 1894. Mercy Fleetwood, Affidavit of Wilson. No. 10."

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EXHIBIT 15.

OFFICE OF J. L. WARD,
Judge Delaware District, Cherokee Nation, I. T.

Bates Prairie,
Maysville, I. T., 1889.

CHEROKEE NATION.)
DELAWARE DISTRICT.)

Wilson, a Cherokee Indian of lawful age resident of Delaware District, C. J., who after being duly sworn according to law, States that he (Wilson) married the mother of Lafayette Teel and Steve Edwards in 1860 or thereabouts, that she (the mother, Minerva Fleetwood) had these two children at the time he married her, that Lafayette Teel was about two years old then, and Steve Edwards a little older, that his wife (Minerva) claimed the two boys as brothers, and he never heard it denied. I lived with her about ten years, and she kept the boys until her death always claiming them as her son's. And further Deponent saith not.

his
(Signed) Wilson X or Wee-lee-see-see
mark

Witness to mark.
J. L. Ward.

The above named (Wilson) personally appeared and made oath that the foregoing declaration by him subscribed is true. Before me
(Signed) J. L. Ward,
Judge Del. Dist. C. N.

over.
Attest this 28th day of July, A. D. 1888.
(Signed) P. L. Walker, Depty Clerk
(SEAL) Del. Dist. C. N.

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EXHIBIT 16.

CHEROKEE NATION.)
DELAWARE DISTRICT, I.T.)

Personally come before me the undersigned authority, Simon Johnson who after being duly sworn states as follows: I live in Delaware District, Cherokee Nation, Indian Territory and have been acquainted with Lafayette Teel about 25 years. When I first got acquainted with Teel he lived here in the Nation and was recognized as an Indian & no effort all this time has ever been made to put him out, as is done with people who are non citizens. During this time I have known Lafayette Teel to vote at elections without challenge, to serve as guard to posse for Sheriff, to make improvements and sell the same and the title was considered good as emanating from a citizen of the Cherokee Government. And I from all these facts firmly believe him to be a Cherokee Indian As I am a full blood Indian & cannot understand the English Language. But have had this matter thoroughly explained through an Interpreter & I hereby subscribe to the above statements.
(Signed) Simon Johnson.

Subscribed & Sworn to before me on this the 27th day of April A. D. 1888.
(Signed) J. L. Ward,
Judge Delaware District,
Cherokee Nation, I. T.

Endorsements: 7102. S. Affidavit of Simon Johnson. U. Indian Office 31108. Recd. Dec. 10, 1894. Minerva Fleetwood.

EXHIBIT 17.

UNITED STATES OF AMERICA)
INDIAN TERRITORY, } SS.
NORTHERN DISTRICT.)

Be it remember that on this the 22nd day of August, A. D. 1896 personally appeared before me the undersigned Notary Public, within and for the District aforesaid, T. M. Buffington to me personally known who deposes and says as follows:- That I am a Cherokee Indian by blood and am Circuit Judge of the Cherokee Nation, of the Indian Territory. That I am well acquainted with

Watts West,
E. D. Carry
J. L. Ward, District Judge of Delaware District, Cherokee Nation Indian Territory.

Rachel Smith
Eljerry Fleetwood (Two lines in ink drawn through this name.)
Peter Nick, (Two lines in ink drawn through this name.)
Nat son Sanders. (Two lines in ink drawn through this name.)
James Tincup
Simon Johnson (Two lines in ink drawn through this name.)
William Matoy,
Wilson Conlin (Two lines in ink drawn through this name.)

and know them to be creditable and responsible persons and that their oaths are entitled to full faith and credit. I have known these men well and intimately for a great many years and know them to be men of Honor and Integrity and that the reputation each of them bears for truth and veracity is good

(Signed) T. M. Buffington.

Subscribed and sworn to before me this the 22nd day of August, A. D. 1896.

(Signed) W. S. Stanfield,
Notary Public, My Commission Expires September 17th, 1899.

(SEAL.)

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EXHIBIT 18.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY. } SS.
NORTHERN DISTRICT.)

Be it remembered that on this the 26th day of August A. D. 1896 personally appeared before me the undersigned a Notary Public within and for the Northern District, Stephen D. C. Edwards to me personally knows who deposeth and sayeth as follows, to-wit:-

That I was personally acquainted with one Judge Chas. Wicklliff during his life time and know that he departed this life in the fall of 1888. And that he is the same Judge Chas. Wicliff who gave the above and foregoing testimony. And for this reason, he having departed this life, and it being impossible for me to procure his testimony, I herewith file the above and foregoing transcript of his testimony given before the Citizenship Commission at Tahlequah, Cherokee Nation, Indian Territory, September 16th, 1896.

(Signed) Stephen D. C. Edwards

Subscribed and sworn to before me this the 26th day of August, A. D. 1896.

(Signed) W. S. Stanfield,
(SEAL.) Notary Public, My Commission Expires September 17th, 1899.

EXHIBIT 19.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT, : SS.
)
INDIAN TERRITORY.)

Be it remembered that on this the 12th day of August, 1896, personally appeared before me a Notary Public within and for District and Territory aforesaid W. G. Brown, to me personally known who after being duly sworn according to law on his oath deposes and says as follows to wit:-

That I am the husband of Martha W. Brown nee Fleetwood one of the applicant for citizenship in the Cherokee Nation, claiming her right to said citizenship through her ancestor Rosia Morgan Sr., and his descendants. That my wife Martha W. Brown is a sister of Eljerry Fleetwood and that there has been born and now living to our marriage, children of the said Martha W. Brown, viz:- Cassie Brown, a girl aged, 17 years, William D. Brown, a boy, aged 15 years, Lula J. Brown, a girl, aged 12 years, Martha Brown, a girl, aged 10 years, Myrtle Brown, a girl aged 3 years, Grover Brown, a boy, aged 4 years, Lottie Brown, a girl aged 2 years. That I am informed and verily believe that my wife's mother Lucinda Fleetwood was enrolled on the rolls of 1880 as an old settler which rolls were made for the purpose of distribution of the Cherokee funds. But that said name appears on the said roll as Lucinda Flatfoot, that her husband during his life time made an attempt to have the same corrected and to draw the said money, but owing to some diffulcty that sprung up between her husband the and the pay-master who was paying out said funds the same was never corrected. And that it appears of record that the said funds belonging to the said Flatfoot (Fleetwood) have never been paid out and are remaining uncalled for to this day as will appear by reference being made to the records of said old settlers payment.

(Signed) W. G. Brown,

Subscribed and sworn to before me this 12th day of Aug. A. D. 1896.

(Signed) W. S. Stanfield,
Notary Public, My Commission Expires
September 17th, 1899.

(SEAL.)

EXHIBIT 20.

I.

[illegible])
[illegible] : SS.
NORTHERN DISTRICT.)

I, Willie Hoskin being first duly sworn on oath depose and say, my name is Willie Hoskin, I am 17 years of age and a Cherokee Indian by blood, my home is with my parents on my fathers side, Stephen D C. Hoskin, near Westville in the Cherokee Nation. My parents were George Hoskin and Delphiney Hoskin nee Fleetwood, who died when I was small I having but two children viz. myself and my younger brother Samuel Hoskin. I am the same Willie Hoskin referred to in the petition I furnish for the enrollment as Cherokee Indians of the heirs of Rosia Morgan Sr. and also referred to in the different affidavits submitted herewith.

My brother Samuel is now about fifteen years of age and resides with our maternal aunt Mrs. Serah Ward, nee Fleetwood in Sequoyah District of the Cherokee Nation and is the Samuel Tecoka referred to in the petition and affidavits above mentioned. I further on oath state that I was notified in the winter of 1895 by the Cherokee authorities that I was entitled to the payment of $15.50 as a Cherokee Indian and that in persuance of such notification I drew my said money.

(Signed) Willie Hecka.

Subscribed and sworn to before me this the 30th day of July, 1896.

(Signed) W. S. Stanfield.
Notary Public.

(SEAL.)

My Commission Expires September 17th, 1899.

EXHIBIT 21.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY. : SS.
NORTHERN DISTRICT.)

I, W. S. Stanfield, being first duly sworn on oath depose and say, as follows, to-wit: That I am a duly commissioned and acting Notary Public within and for the Northern District of the Indian Territory and that on the 3rd day of August, 1896. I went to the residence of Mrs. Rachel Smith for the purpose of taking her affidavit to be used in the case of Kljerry Fleetwood, I was informed before I went there that her condition was such that it was not necessary for me to go, in as much as she would not be able to give me the affidavit/ I was informed by her neighbors that she had the consumption and was in the last stages and that her mind was affected. I found her to be a very old lady and lying in the corner of a room on a bed nailed to the wall and closed in with a quilt bar to keep the flies off and in such a condition as to be almost sufficated by the heat. That she was twisting and turning upon her bed and groaning and talking and muttering to her self all the time. That to me she seemed to be very low. I talked with her some but could not succeed in fastenning her mind upon a subject for any length of time. I talked with her concerning the Fleetwood case and all that I could get from her on the subject was that she could not make an affidavit now because of the condition of her mind, and that she had made a former affidavit in which she told all that she knew. Owing to her condition I did not take any affidavit from her because it would have been unintelligible, if I could have gotten at all more s over it would not have been competent testimony, because of her condition.

[Signed] W. S. Stanfield.

Subscribed and sworn to before me this the 17th day of Aug// 1896.

(Signed) Harry E. McCarthy.
Notary Public.

(SEAL)

My Commission Expires May 11th, 1898.

EXHIBIT 22.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT OF THE : SS.
INDIAN TERRITORY.)

I, Eljerry Fleetwood, being first duly sworn on oath depose and say my name is Eljerry Fleetwood, my post office is Bunn, Ind. Ter., my age is forty years. I am a son of Charles and Lucinda Fleetwood. My mother's maiden name was Lucinda Morgan and she was a daughter of Hosia Morgan, Sr. Said Hosia Morgan Sr. being the Hosia Morgan Sr. who was one "of a company of Cherokees who set out from the Cherokee agency East on the 14th day of March, 1834 under the direction of Lieutenant J. W. Harris for a removal West of the River Mississippi" as will more fully appear by the official report of said removal on file in the Department of the Interior at Washington, D. C. I further on oath state that my brothers and sisters names are as follows, with their ages as nearly as I can give them, to-wit:

Minerva,	a	girl	born about	1835
Lorenzo,	a	boy	"	1837
Charles	"	"	"	1839
William	"	"	"	1840
Miles	"	"	"	1842
Prura	"	girl	"	1844
Edmond	"	boy	"	1846
Newston	"	"	"	1848
Delphony	"	girl	"	1850
Sarah	"	"	"	1852
Quilla	"	boy	"	1854
Martha W.		girl	"	1858
Lucinda	a	girl	"	1861.

That my said sister Minerva married a man by the name of Abraham Edward about the year 1853 and to whom was born one son viz. Stephen D. C. Edwards about the year 1855. That my said sister Minerva was married again in about the year 1857 to a man by the name of John Teel, and to whom was born one son viz. LaFayette Teel about the year, 1858. I further depose and say that I and all of my brothers and sisters were born and raised in the Cherokee Nation of the Indian Territory. And that all of said brothers and sisters including myself that are now living reside and always have resided in said Cherokee Nation. That my said sister Delphony married a man by the name of George Meeks about the year 1877 and to whom were born two sons viz. Willie Meeks about the year 1879 and Samuel Meeks about the year 1881 and that my said last named sister departed this life about the year 1881.

That my said sister Sarah married a man by the name of R. P. Palmore about the year 1874 and to whom was born one son viz. Andrew Palmore, about the year 1875. That my said sister Sarah was married again in about the year 1881 to a man by the name of Jerry Ward and to whom were born several children the names and ages of whom I am unable to give. That my said brother Quilla married a woman by the name of Lurinda Meeks about the year 1876 and to whom were born four children viz. Johnie Fleetwood, a son aged about eighteen years, Nonie Fleetwood a girl aged about sixteen years, Minnie Fleetwood a girl aged about thirteen years and Arizona Fleetwood a girl aged about twelve years. That my said brother Quilla departed this life about the year 1884. That I was married about the year 1886 to a woman by the name of Sarah Sexton and to us have been born and are now living four children, to-wit: Edna Fleetwood, a girl born July 28th, 1887, Willie Fleetwood a boy born

about July 1st, 1890, Louvena Fleetwood a girl born about December 22nd, 1892 and Juley Fleetwood a girl born December 16th, 1894. That my said sister Martha W. married a man by the name of Gentry Brown about the year 1875 and to whom were born several children the names and ages of whom I am unable to give. That my said sister Minerva's son Stephen D. C. Edwards married a woman by the name of Allice A. Gill about the year 1877 and to whom have been born and are now living three children viz. Zelma Edwards a girl born about 1883, Stephen Edwards a son born about the year 1885, and Emma Edwards a girl born about the year 1894. That my said sister Minerva's son LaFayette Teel married a woman by the name of Nannie Hester about the year 1878 and to whom have been born and are now living five children viz. Minerva Jane Teel now married to John Boswell born December 8th, 1879. Carrie Ann Teel a girl born about the year 1882, William LaFayette Teel a boy born about the year 1886, John Hugh Teel a boy born about the year 1888, Nannie Teel a girl born about the year 1895. I further on oath state that I have made diligemt search and inquiry among the Cherokee People and in public records and find that my grandfather the said Hosia Morgan Sr. was a Cherokee Indian by blood and that he lived with the Cherokee Indians near the Valley and Little Hiwassie Rivers in North Carolina and that he was well known by them and by them treated and regarded as a Cherokee Indian and enjoyed all of the rights, privileges and benefits of a member of the Cherokee tribe of Indians and was in truth and in fact a Cherokee Indian and that his name appeared on the Cherokee Rolls as such. That my grandfather the said Hosia Morgan Sr. about the year 1834 entered into a contract, as a Cherokee Indian with the United States government by its Indian agent Hugh Montgomery in which he released his interest in the Cherokee lands situated East of the Mississippi River and bound himself to remove and permanently settle with his family on the land provided for the Cherokee people West of the Mississippi and that he was to receive pay for his abandoned improvements on his settlement West of the Mississippi River. That in said contract my said grandfather was recognized and treated with by the United States government as a Cherokee Indian. That I understand my said grandfather Hosia Morgan Sr., died of Cholera while removing to this Nation and that his wife and children continued their journey to the present Cherokee Nation where they all resided until the times of their death.

his
(Signed) Eljerry X Fleetwood
mark.

Witness mark.
W. T. Stanfield.

Subscribed and sworn to before me this the 28th day of July, 1896.

(Signed) Harry E. Don-Carlos.
(SEAL)
Notary Public, My Commission Expires May 1 th. 1900

Enclosures: Eljerry Fleetwood, Affidavit of Eljerry Fleetwood.

EXHIBIT 23.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,
[illegible] DISTRICT.)

I, John W. Webb, being first duly sworn, on oath deposes and say that my name if John W. Webb, that I am 38 years of age and my post office is Vinita , I. T. I am a Citizen of the United States. I was a witness for the united States Government in the case of the United States vs. Stephen D. C. Edwards tried before Judge Isaac C. Parker in the United States Court for the Western District of Arkansas in the City of Ft. Smith Arkansas on or about the year 1895. That I heard the instructions given by said Judge Parker to the Jury trying said case and among other things said Judge Parker instructed said Jury that if they believe from the evidence the said Stephen D. C. Edwards was a Cherokee Indian by blood and if they further believe from the evidence that Quilli Fleetwood the man whom the said Stephen D. C. Edwards was then on trial for killing was a Cherokee Indian by blood they should discharge the said Stephen D. C. Edwards. The said Judge Parker further said to the said Jury in substance, that the evidence introduced should beyond any question that the dead man Quilli Fleetwood and the said Stephen D. C. Edwards were Cherokee Indians by blood. I further state that the said Stephen D. C. Edwards above referred to is the same Stephen D. C. Edwards who is now making application to be placed upon the Cherokee Indian Rolls. I further state that Lucinda Fleetwood testified as a witness in said case and in her testimony stated that she was a Cherokee Indian by blood and stated that the dead man Quilli Fleetwood was her son and further stated that the man on then on trial being the said Stephen D. C. Edwards was her grandson.

(Signed) John W. Webb.

Subscribed and sworn to before me this the 22nd day of August, A. D. 1896.

(Signed) Harry E. Dun-Carlos.

(Seal)

Notary Public, my Commission Expires May 11th, 1900.

EXHIBIT 2a.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, Stephen D. C. Edwards, being first duly sworn on oath deposes and say that my name is Stephen D. C. Edwards, I was born in Delaware District of the Cherokee Nation in the Indian Territory on the 27th day of October, 1855, and am therefore nearly forty one (41) years ofage. I have resided in the present Cherokee Nation all of my life and I now reside with my wife and children in the Cherokee Nation about ten (10) miles south of the town of Vinita, Vinita Indian., being my post office and the post office of my children. I am the only son of Stephen and Elizabeth Edwards. My father died in my infancy and my mother afterwards married a man by the name of John Pool and by them was child and born, to-wit:- my maternal half brother Lafayette Pool. I am a Cherokee Indian by blood, deriving the Cherokee Blood in my veins from my mother whose maiden name was Elizabeth Fleetwood, she, my mother being one of a large family of children born in lawful wedlock to Quilli Fleetwood and Lucinda Fleetwood his wife. My mother deriving the Indian Blood in her veins from her mother Lucinda Fleetwood whose maiden name was Lucinda Morgan, and she, my grandmother Lucinda Fleetwood was Indian blood, Morgan was a daughter of Elias Morgan and she was full Indian Morgan both

of whom I understand were full blood Cherokee Indians and members of the Cherokee tribe and Nation of Indians, and who enjoyed all of the rights, privileges, benefits and immunities of members of the Cherokee tribe of Indians.

That my great grand father the said Hosea Morgan Sr. lived with the Cherokee Indians near the HiaWassa river and was treated and claimed by the Cherokees and was in fact one of them. That the Government of the United States treated and dealt with my said great grand father the said Hosea Morgan Sr. and in all of its contracts and dealings with him, recognized him as a Cherokee Indian. That said Hosea Morgan Sr., was one of a Company of Cherokee Indians who started to emigrate from the Cherokee Agency East on the 14th day of March 1834, West of the Mississippi River under the direction of Lieutenant J. W. Harris. And that I understand said Hosea Morgan Sr., died of cholera while en route to this Nation

That I was well acquainted with my grand mother the said Lucinda Fleetwood and her complexion, hair and general appearence and every action indicated that she was an Indian by blood, she talked the Cherokee language fluently and I have heard her say that she was a daughter of Hosea Morgan Sr., and that she was born in the old Cherokee Nation East. My said grand mother treated my mother as her daughter and I have frequently heard both my mother and my said grand mother say that my mother was her, my said grand motner's daughter. After my mothers death I lived with my said grand mother and was treated by her and spoken of by her as her grand son. My said grand mother lived near Beattys Creek in the present Cherokee Nation at the time of her death, prior to my grand mothers removal to Beattis Creek she lived at Fort Gibson, where my mother was born. I understand that my said grand mother was married to Charles Fleetwood a United States Soldier at Fort Gibson in the present Cherokee Nation. My mother lived all of her life in this Cherokee Nation and died on Beattis Creek in Deleware District and is buried there. My mother understood and talked the Cherokee language fluently and my said half brother Lafayette Teel and myself thoroughtly understand the Cherokee language and I cannot remember which, the Cherokee or English language I learnedto talk first. I also read the Cherokee language and have frequently been used in both the Cherokee and United States Courts as an interpreter.

Several of my mother's brothers and sisters have been recognized as Cherokee Indians by blood by the Cherokee Nation and as such have drawn money, had issued to them marriage licenses and in other ways been regarded by the Cherokee people as members of the Cherokee Nation or tribe of Indians by blood, and now, a number of the children of my said mother's brothers and sisters, my cousins are recognized and enrolled Cherokee Indians by blood as deriving the Cherokee Blood in their veins from their parent the brother or sister of my mother as the case migh be and tracing back their Indian blood to our common ancestor Hosea Morgan Sr. That about the year 1861 my mother married a Cherokee Indian by the name of Wilson and from that time until my mothers death in 1869 my said half brother Lafayette Teel was generally known by the name of Pete Wilson and I was known as Steve Wilson and it maybe we appear on some of the Cherokee rolls under those names. My said half brother Lafayette Teel and I were always considered as Cherokee Indians by Blood and I always supposed that I was properly enrolled as a Cherokee up to the year 1879 or 1880 and the first I knew to the contrary was when I went to draw money I think in 1880. At that time upon hearing my name and others of my relatives had been what the Cherokee Officers called "Red Inked" my grand mother the said Lucinda Fleetwood on behalf of herself and those of her children and grand children whom we were informed were not recognized as Cherokee Indians by blood, made application to the Cherokee authorities for citizen-

ship and enrollment. And since 1880 my said grand mother and others of her decendents have made various applications to the Cherokee authorities for readmission, and to this day the said Cherokee authorities have never passed upon any of our said applications except in one ~~xx~~ instance when they decided against my said h lf brother Lafayette Teel my mother's siter Mrs. Martha W. Brown and me and that decision was rendered after our said application and the evidence in support had been withdrawn from a Committee or Court created by the Cherokee National Council and known as the Adair Commission. That the reason of the with drawal of the applic tion for Citizenship from the Cherokee authorities before a decision was rendered by said authorities thereon, was that on or about the year 1888 my said half brother Lafayette Teel was placed upon trial in the United States Court at Fort Smith Arkansas, charged with killing a certain Cherokee Indian by blood and that one of the defenses made by my said half brother Lafayette Teel was that said United States Court did not have juriddiction in said case for the reason that he, the man killed and he, said Lafayette Teel were both Cherokee Indians by blood and said evidence together with said application were withdrawn from the files of the Cherokee authorities so that said evidence might be used on the trial of said case in said Court in Fort Smith to show that he my said half brother Lafayette Teel was a Cherokee Indian by blood. That I attended said trial in the United States Court at Fort Smith and know that a large part of the documentry evidence attached herewith was used as evidence in said trial. That at the time of said killing my said brother was acting as a Posse for a Dupty United States Marchal and the Judge of said Court instructed the Jury trying said case in substance that if the defendant, my said half brother was assisting a United States Marshall or Policeman or was in the employ of the General Government the defence or the fact of him being a Cherokee Indian would avail him nothing. That on or about the year 1877 I was married to a woman by the name of Alice A. Gill and that there have been born to my said wife and myself in lawful wedlock and are now living, three children, to-wit:

Zelma Edwards, a daughter, now about 13 years of age
Stephen Edwards, a son, now about 11 years of age,
Emma Edwards, a daughter, now about 18 months of age.

That Lucinda Fleetwood whose affidavit is herewith attached taken before J. L. Ward, Judge of Delaware District of the Cherokee Nation departed this life some 8 or 10 years ago. That Nathiesal Fish whose affidavit is herewith attached taken before W. S. Bartlett on the 29th day of July 1880, departed this life on or about the year 1892.

That on or about the year 1885 I was placed on trial in the United States Court at Fort Smith Arkansas charged with killing my mother's brother, Quilla Fleetwood being the same Quilla Fleetwood mentioned in different affidavits attached herewith and being the father of Johnie Fleetwood, [illegible]ie Fleetwood, Minnie Fleetwood, and Arizona Fleetwood, who in this same application of Hijerry Fleetwood to which this affidavit is attached are asking to be enrolled as Cherokee Citizens by this Hon. Commission. That in my said trial at Fort Smith one of my defenses was that both the dead man Quilla Fleetwood and I were Cherokee Indians by blood and in support of my position, I introduced and the Hon. James C. Parker the Judge presiding at said trial permitted to be read as evidence the paper herewith attached marked Exhibit G. the same being a certified copy of the record in the Department of the Interior at Washington D. C. showing that Rosea Morgan Sr., and his family were members of a Company of Cherokee Indians who started from the Agency East to emigrate to the Cherokee Nation West of the Mississippi River;

That said Judge Parker instructed the trial Jury in said case that if they believed the dead man Quilla Fleetwood and myself were both Cherokee Indians by blood they should discharge me. And he further stated in substance to the said Jury, that the evidence showed that the dead man Quilla Fleetwood and I were both Cherokee Indians.

My grand mother Lucinda Fleetwood testified in said trial that she was a Cherokee Indian by blood and she was the daughter of Rosea Morgan Sr., whose name appears on said Exhibit G, herewith attached and herein above referred to. She further testified that the said dead man Quilla Fleetwood was her son and that I was her grand son. I have made an effort to procure from the Clerk of the United States Court at Fort Smith a certified copy of the instructions and of the evidence bearing on my Citizenship but was informed by a letter from said Clerk to my Attorneys Don-Carlos & Stanfield that at the time of said trial no appeals were permitted and for that reason the evidence and instructions had not been reduced to paper and consequently he could not furnish them. That the Jury trying said case of mine returned a verdict that the Court trying the same had no jurisdiction thereof and I was discharged as will more fully appear by reference being had to Exhibit B., which is herewith attached and made a part hereof. That I have procured from the Department of the Interior at Washington, D. C., a certified copy of an agreement entered into by the United States through its Indian Agent with my said great grand father Hosea Morgan, Sr., as will more fully appear by reference being had to Exhibit E which is hereto attached and made a part hereof. That on or about the month of August, 1896 I procured from the Department of the Interior at Washington, D. C. a certified copy of the record showing the prices placed upon and the improvements owned by my said great grand father Hosea Morgan Sr., as will more fully appear by reference being had to Exhibit F., which is herewith attached and made a part hereof.

That several of the afficavits herewith attached appear to have been taken for some time, and I have not procured new affidavits in their stead for the reason that other affidavits are herewith attached recently executed that cover practially the same ground. That J. L. Ward who made affidavit marked Exhibits 10, herewith attached post office is Mayesville, Arkansas, but he lives in the Cherokee Nation. That Mayesville Arkansas is the post office of Watson Sanders who makes the affidavit herewith attached and marked Exhibit 13. That Mayesville Arkansas is the post office of Peter Nick who makes the affidavit herewith attached and marked Exhibit 12. That Pryor Creek, I. T. is the post office of James Tincup who makes the affidavit herewith attached and marked Exhibit 11. That Mayesville Arkansas is the post office of Simon Johnson who makes the affidavit herewith attached, and marked Exhibit 16. That Mayesville Arkansas is the post office of Wilson or Wee lee See Nee or Wilson Cimlin whose affidavits are herewith attached and marked Exhibits 15 & 14. That said Wilson, Simon Johnson, James Tincup, Watson Sanders and Peter Nick all reside in the Cherokee Nation. That I am the same Stephen D. C. Edwards mentioned in the other affidavits herewith attached and in the application for citizenship and enrollment made by my maternal Uncle Elijerry Fleetwood on behalf of himself and others.

(Signed) Stephen D. C. Edwards.

Subscribed and sworn to before me this the 27th day of August, A. D. 1896

(Signed) Harry E. Don-Carlos,

(SEAL) Notary Public, my Commission Expires May 11th, 1900.

EXHIBIT 25.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY. : SS.
NORTHERN DISTRICT.)

I, William C. Woodall being first duly sworn on oath state, My name is William C. Woodall, I am a half blood Cherokee Indian and speak and understand the Cherokee language. I am well acquainted with Stephen D. C. Edwards and LaFayette Teel of Vinita, Ind Ter. and know that they both speak and understand the Cherokee language for I have talked with them and heard them talk in that language.

(Signed) William C. Woodall.

Subscribed and swron to before me this 30th day of July, 1896.
(Signed) Harry E. Don-Carlos.
(SEAL)
Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT 26.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY : SS.
NORTHERN DISTRICT.)

I, LaFayette Teel, being first duly sworn on oath depose and say that my name is LaFayette Teel, my post office is Vinita Indian Territory. I was born in Deleware District Cherokee Nation on the 28th day of May 1858, and am a Cherokee Indian by blood. I have lived all of my life in the Cherokee Nation and my mother was born here before me. I am the son of Minerva Teel who was the wife of Abraham Edwards before she married my father and my mothers son Stephen D. C. Edwards and I are half brothers. My mothers maiden name was Minerva Fleetwood and she was a sister of Kilberry Fleetwood who has filed an affidavit in this case and in whose name our application for enrollment on the Cherokee Indian Citizenship rolls is being prosecuted. My mother died on or about the year 1869. I was well acquainted with my maternal grand mother Lucindia Fleetwood, here in this Nation and have heard her state many times that she was a daughter of Hesia Morgan Sr., whose name appears upon the muster rolls of a Company of Cherokee Indians who started in 1834 for the Cherokee Nation west of the Mississippi River under the direction of Lieutenant J. W. Harris. I have also heard my grand mother the said Lucindia Fleetwood state that Minerva, (my mother) Lorenzo, Charles, William, Miles, Prure, Edmond, Austin, Delphony, Sarah, Quilla, Martha W., Lucindia and Kilberry Fleetwood where her children. I was present when my said grand mother Lucindia Fleetwood made the affidavit marked exhibit 1 which is herewith attached and knew that the same was carefully read over to her and that she fully understood the contents thereof before executing the same, and that at said time my said grand mother was in possession of all her mental faculties and fully understood what she was swearing to.

I further on oath state that from my earliest childhood I have talked the Cherokee language and that my mother and my maternal grand mother talked the Cherokee language; That I have acted as interpreter to translate into English the Cherokee language in the

United States Court at Fort Smith and in the Cherokee Courts of the Cherokee Nation, and that my said half brother Stephen D. C. Edwards also talked the Cherokee language fluantly. That I have been summoned by the Cherokee Authorities to serve on Juries in the Cherokee Courts and have so served as will more fully appear by reference being made to page 21 of the record of criminal cases of the Circuit and Supreme Court in the Clerks Office of Deleware District and by reference being made to exhibit C which is attached herewith, and that I have served as a Juror in the trial of causes in the Cherokee Courts. That on or about the year 1888 in an action then pending in United States Court at Fort Smith in which my Citizenship was in question, evidence was sought to be introduced showing that a commission or Committee created by the Cherokee Authorities and known as the Adair Commission had decided that I was not a Cherokee Indian by blood; the said Adair commission basing their decision upon the testimony of one Charles Wicklieff and James Waford and that in the trial above referred to in Fort Smith the Honorable Isaac C. Parker sole Judge presiding decided the decision of the said Adair commission above referred to could not be used in evidence to show that I was not a Cherokee Indian by blood or entitled to Cherokee citizenship upon the ground that said Adair commission had acted in said matter without my presence and without giving me an oppertunity to be heard and that the proceedings and findings of said Adair Commission were Ex Parte and irregular or in other words that as far as my case was concerned before said Adair Commission I had not "had my day in Court."

That up to the year 1880 my half brother Stephen D. C. Edwards, my maternal Uncles Eljerry Fleetwood, Edmond Fleetwood, Miles Fleetwood, Quilla Fleetwood and myself voted and took part in the Cherokee election, served on juries and in many ways exercised the rights of Cherokee Citizens and up to said period of 1880 I supposed I was a Cherokee Indian Citizen and that my name appeared as such upon the proper Cherokee Indian rolls as it should have done. I further state that in 1880 my maternial grand mother sought to discover whether her name appeared as it should upon the Cherokee Indian rolls of Citizens and that she was refused an examination of said rolls where upon she made application to the Cherokee authorities to have her name placed on said rolls together with her children and grand children and great grand children but that for some reason her said application was never decided. That afterward to-wit in 1887 my mothers sister Martha W. Fleetwood then married to a man by the name of Brown and I made application to the Adair Commission herein above referred to to be placed upon the roll of Cherokee Indian Citizens and that afterward to-wit-on or about the month of July 1888 our said application and the evidence in support thereof was withdrawn from said Adair Commission by my said half brother Stephen D. C. Edwards at the instance of my said Aunt Martha W. Brown and myself so that said evidence could be used in the trial above referred to in the United States Court at Fort Smith, Arkansas. And that afterward to-wit: on or about the month of August 1888 the said Adair Commission, notwithstanding the fact that the application and evidence in support thereof of my said Aunt Martha W. Brown and myself had been withdrawn from further consideration by said Adair Commission rendered a decision to the effect that my said Aunt Mrtha W. Brown and I were not entitled to enrollment as Cherokee Citizens by blood

That I am the [illegible] Fayette Teel referred to in the petition for citizenship of Eljerry Fleetwood herewith attached and in the various affidavits and official records herewith attached.

That the two children Willie Meeks and Samuel Meeks whose affidavits are herewith attached are orphans and sons of my mothers sister Delphany. That my said half brother Stephen D. C. Edwards has

three living children. to-wit:- Velma, Stephen and Emma and that they are the same persons whose names are referred to in the said petition of the said Kljerry Fleetwood. That I have five living children, to-wit:-Minerva Jane, Teel, born December 8th, 1879, Carrie Ann Trel, born November 26th, 1882, William Lafayette Teel, born February 21, 1886, John Hugh Teel, born April 8th, 1888, and Nannie Teel born February 6th 1895. That my said daughter Minerva Jane Teel was married on or about the month of January 1896 to one John Boswell and whose Post Office is Vinita Indian Territory. That notwithstanding the efforts that have been made by myself and my maternal relatives to have the question of our citizenship decided by the proper authorities of the Cherokee Nation our applications have never been passed upon except in the one instance herein above referred when the said Adair Commission pretended to say we were not entitled to enrollment and that after our application and the evidence in support of it had been withdrawn, and that decision the said United States Judge Parker held could not be used as evidence to show that I was not a Cherokee Citizen for the reasons above mentioned.

(Signed) Lafayette Teel.

Subscribed and sworn to before me this 11th day of August, A. D. 1896.

(Signed) Harry E. Dom-Carlos,

(SEAL) Notary Public, my Commission Expires May 11th, 1900.

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EXHIBIT 27.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : ss.
DOWNEN DISTRICT.)

I, W. C. Woodall being first duly sworn on oath state. I am a Cherokee Indian by blood residing in the Cherokee Nation. My post office is Vinita, I. T. During the year 1872 I was the District Judge of Delaware District Cherokee Nation and that while I was the Judge of said District Lucinda Fleetwood was by me appointed the administratrix of the estate of Charles Fleetwood, deceased, and as such administratrix she filed a bond which I identify as the same bond on this occasion presented to me and which I herewith attach to this affidavit. That before appointing said Lucinda Fleetwood administratrix I enquired of her if she was a bona fide citizen of the Cherokee Nation and she said she was. I have since heard she was not a recognized citizen of said Nation.

(Signed) W. C. Woodall.

Subscribed and sworn to before me this 30th day of August, 1896.

(Signed) Harry E. Dom-Carlos.
Notary Public.

(SEAL)
My Commission Expires May 11th 1900.

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EXHIBIT 28.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, Stephen D. C. Edwards being first duly sworn on oath state that my name is Stephen D. C. Edwards, and that the children mentioned in the petition herewith attached as Grover Cleveland Ward, ...Ward, and ..... Ward are the children born in lawful wedlock to my mothers sister Sarah Ward and her husband Jerry Ward. That my said Aunt Sarah Fleetwood first married a man by the name of R. P. Palmore and to whom were born two children, Andrew Palmore and Susan Palmore and afterwards she was again married to a man by the name of Jerry Ward, and that all of said children to-wit:- Andrew Palmore, Susan Palmore, Grover Cleveland Ward, ... Ward a son, and ..... Ward a son, are the children of my said Aunt Sarah and are co-petitioners, with me in the attached application.

(Signed) Stephen D. C. Edwards.

Subscribed and sworn to before me this the 7th day of September, 1896.

(Signed) Harry E. Des-Carlos.

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT "29."

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS.
NORTHERN DISTRICT.)

I, J. A. Dodson, being first duly sworn according to law, deposeth and saith that my name is J. A. Dodson, I am 57 years of age and my post office is Vinita, I. T. I was well acquainted with Lucinda Fleetwood these children and grand children are making application for Cherokee Citizenship and enrollment, and as said Lucinda Fleetwood looked to be at least a half blood and she and all of her children were known to be Cherokee Indians. They lived in the Cherokee Nation and I lived within 3 miles of them for several years. The said Lucinda Fleetwood called on my wife at the birth of two of our children. I was intimately acquainted with this family, and there is no doubt in my mind, but what they are Cherokee Indians. Stephen D. C. Edwards was a grand son of said Lucinda Fleetwood. I have no interest either directly or indirectly in the result of their application.

(Signed) J. A. Dodson.

Subscribed and sworn to before me this the 7th day of September, 1896.

(Signed) Harry E. Des-Carlos

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

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EXHIBIT A.

CHEROKEE NATION)
DELAWARE DISTRICT.)

Know all men by these presence that we Lucinda Fleetwood as principal Administrator of the estate of Charles Fleetwood deed. and Edmond Fleetwood and Miles Fleetwood as Securities are held and firmly bound unto W. C. Wopddall Judge of the District Court of Del Dist C. N. or his successor in office in the penal Sum of $750,00 Seven Hundred and fifty Dollars lawful money of this Nation recoverable in any of the Courts of this Nation having Cognizans of the Same.

Conditions of the above bonds are such that said Lucinda Fleetwood having been duly appointed the lawful administratrix of the estate of Charles Fleetwood, Citizen of this Nation by adoption (Dead) will faithfully act as administratrix of said estate according to law for administrations then the above bond to become null and void otherwise to remain in full force and virtue in law. We therefore bind ourselves our heirs assigns and administrators to the fulfillment of the above obligations. Whereof we hereunto set our hands and cause our seal this the 2d day of Dec. A. D. 1872.

her
(Signed) Lucinda X Fleetwood
mark
his
(Signed) Edmond X Fleetwood
mark
his
(Signed) Miles X Fleetwood
mark.

Endorsements:
Bond of Lucinda Fleetwood.

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EXHIBIT B.

CHEROKEE NATION,)
DELAWARE DISTRICT.)

This is to certify that R. P. Palmore a citizen of the U. States was granted a license to marry Sarah Fleetwood a citizen of the Cherokee Nation on the 20th of May 1874 and the license returned executed on the 29th day of May 1874 and is hereby recorded on 8th day of Aug. 1876.

In conformity with the act entitled an Act to provide for licensing of citizens of the U. States intermarrying with citizens of the Cherokee Nation. Approved 6 - 18th 1841.

Signed J. M. Martin Clerk
Del Dist C. N.

I hereby certify that the above is a true copy of the original record on page 99 of the marriage records of this office.

(Signed) P. L. Walker, Deputy
Clerk Del Dist C. N.

(SEAL)

Endorsements: Indian Office, Indies. No. 16 1884. L. Ellery Fleetwood. Record of Marriage License.

EXHIBIT C.

[DELEWARE DISTRICT)
[CHEROKEE NATION)

Cherokee Nation vs Looney Che-nuc-quee.

Special Circuit court convened for the trial of Looney Che-nuc-quee Judge J. J. Hayes presiding when the following named persons appeared according to citation to serve as jurors to wit:

No. 1	E. F. Wyly	No. 13	Arch Brumer
" 2	James Ward	" 14	Moses Ward
" 3	Will Keeling	" 15	Thos Ward
" 4	S. H. Melton	" 16	John Ward
" 5	Wat Sanders	" 17	Dog Shooter
" 6	James Berrain	" 18	O ter-Nar-Stee-Sky
" 7	Zeke Starr	" 19	John Hunter
" 8	Robt Tittle	" 20	Lafayette Teal
" 9	Dock Harrison	" 21	John Countryman
" 10	Jacob Miner	" 22	John Tyaler
" 11	Big Head	" 23	Van Edmondson
" 12	E. L. Hill	" 24	Joe Ward.

I hereby certify that the above is a correct list of Jurors names summoned in the above case as shown in the record on page 21 of the record of Criminal cases of the Circuit and Supreme Court in the Clerks office of Delewar District.

(Signed) P. L. Walker Depty
Clerk Del Dist C. N.

((SEAL))

Ex enclosures: 7108. H. 31108 Indian Office Inclos. No, 11 1884. Jury List. Elijerry Fleetwood. Jury List Deleware District. Lafayette Teal. No. 18.

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EXHIBIT D.

In the District Court of the United States,)
For the Western District of Arkansas.)

November Term 1885.

Wednesday Morning 8 'C o'clock,
December 16th 1885.

Court met pursuant to adjournment. Present the Honorable Isaac C. Parker, Judge of the District Court of the United States for the Western District of Arkansas.

[UNITED STATES)
[Vs. : Indictment for Murder No. 822.
[LOONEY CHE-NUC-QUEE)

On this day come the United States of America by H. H. Sumbolg Esq. U.S.A. for the Western District of Arkansas and comes the said defendant in custody of the marshal and by his attorneys Moses Thomas and Pulliam & Wm. M. Crevens Esq and it appearing from the return of the marshal that said defendant has been served with a duly certified copy of the indictment in this cause, and a list of the witnesses in this cause and has also been served with a full and complete list of the Petit Jury as selected and drawn by the

-2-

Jury Commissioners for the present term of this court, more than two entire days heretofore and having heretofore had hearing of said indictment and pleaded not guilty thereto, it is on motion of plaintiffs by their said atty ordered that a jury come to try the issue joined whereupon the following were selected for the trial of this cause to wit

John Armstrong
Ernest Goetle
Thomas T. Hayes
George R. Horton
David R. Hammer
Carl Klaus
Joseph D. Mullen
Samuel Peters
Miles F. Richardson
Starling M. Smith
John Wilson
Frank Vogel

Twelve good and lawful men of the district aforesaid who being duly selected empaneled and sworn to try the issue joined and a true verdict according to the law and the evidence and there not being time to further progress with the trial of this cause they were by consent permitted to separate under the instructions of the court until tomorrow morning 8 '2 o'clock

. . . . . .

Friday Morning 8 '2 o'clock
December 18th 1885

Court met pursuant to adjournment. Present the Honorable Isaac C. Parker Judge of the District Court of the United States for the Western District of Arkansas

UNITED STATES)
VS. : Indictment for Murder No. 822.
STEPHEN EDWARDS)

On this day come the United States of America by M. H. Sandels Esq. atty. for the Western District of Arkansas and comes the said defendant in custody of the marshall and by his attys Hess Barnes & Mellette and W. M. Cravens Esq. and now comes the jury heretofore empaneled for the trial of this cause to wit

John Armstrong
Ernest Goetle
Thomas T. Hayes
George R. Horton
David R. Hammer
Carl Klaus
Joseph D. Mullen
Samuel Peters
Miles F. Richardson
Starling M. Smith
John Wilson
Frank Vogel

Who took their seats in the jury-box and after hearing the balance of the argument (the evidence and a portion of the argument having been heretofore, on Dec. 17, heard) of counsel and receiving the charge of the court, retired in charge of a sworn bailiff of this court to consider of their verdict.

and it is further ordered that said jury be kept together and that the marshal of this district furnish meals to the jury and bailiff in charge until discharged by order of said court

and now after some time, come the Jury, in charge of the bailiff aforesaid and return into court here the following verdict "We the jury find that this court has no jurisdiction in this cause"

(Signed) "John Wilson foreman"

It is therefore ordered that said defendant be discharged of and from the indictment in this cause and that he be remanded to the custody of the marshal to await an examination on another charge

I Stephen Wheeler clerk of the district Court of the United States in and for the Western District of Arkansas, hereby certify that with in and foregoing are true and correct copies from the record as shown on pages 104 and 105 in Common Law Record No. 17.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Fort Smith in said district this 22nd day of January A. D. 1887.

(Signed) Stephen Wheeler,
Clerk.

(SEAL)

Endorsements: Record of U. S. Ch. W.D.A.
I.
31108 Indian Office Incls. No. 12 1894

Elijerry Fleetwood. Stephen D. C. Edwards, Verdict of Jury.

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EXHIBIT E.

(1-085 a.)

C.F.L.
C. H. L.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 25, 1888.

I, A. B. Upshaw, Acting Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true and literal exact copy of so much of one of the Cherokee Record Books as shows the agreement of Hosea Morgan to relinquish to the United States his proportionate interest in the Cherokee lands, lying East of the Mississippi, binding himself to remove and permanently settle, with his family, on the land provided for the Nation west of the Mississippi, on condition that he with others be paid for their abandoned improvements on their arrival & settlement west of the Mississippi &c, &c, as the same appears on file in this office.

(Signed) A. B. Upshaw,
Acting Commissioner.

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DEPARTMENT OF THE INTERIOR,
WASHINGTON, D.C., September 25, 1888.

I, William F. Vilas, Secretary for the Department of the Interior of the United States of America, do hereby certify that A. B. Upshaw, whose name appears signed to the foregoing certificate, is now, and was at the time of signing the same, Acting Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.

(Signed) Wm. F. Vilas,
Secretary.
S.A.H.

(SEAL)

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Articles of agreement entered into between Hugh Montgomery, Indian Agent on behalf of the United States of the one part, and

the undersigned chiefs & Warriors of the Cherokee tribe, residing within the limits of the States of Georgia and Alabama, Tennessee & N. Carlomia of the other part.

The undersigned Cherokees for themselves & families do voluntarily agree to assent to a treaty on the terms proposed by the President of the United States, through the Secty. of War, at their Council in 1832; and further agree to & bind themselves firmly by by "these presents; in case no general arrangement is entered into between the tribe to which they belong, & the general government during the coming fall, or early in the Winter, that they will relinquish to the United States all their proportional interest in & to, the Cherokee lands, lying east of the Mississipppi; binding themselves to remove & permanently settle, with their families, on the lands provided for them West of the Mississippi, on the following conditions, viz: They are to be paid for their abandoned improvements, on their arrival & settlement west of the Mississippi, they are to be transported, & subsisted for twelve months after their arrival & receive all the other advantages, perquisites & articles, that other emigrants enjoyed or received under the treaty of the 6th May 1828, that they shall receive before their departure their proportion of the three years annuity due under former treaties. Also their equal proportion of all annuities, or other interests, arising from former, or future treaty, or treaties, that have, or may be concluded between the Govt. of the United States, & their tribe East of the Mississippi, including the proceeds of the school x reservation under the treaty of 1819. Placing them on an equal footing with those of their brethren who have already gone, as well as those who may remain. In testimony whereof the parties have hereunto set their names the days & dates under written

Date 1834	Names of Persons.	Males under 10	Males 10 & U. 25	Males 25 & U. 50	Males 50 & upwards	Females under 10	Females 10 & U. 25	Females 25 & U. 50	Females 50 & upwards	Residence
Sept.	Woody Russell	3	1	1		1		1		Valley River, N.C.
	Hannah Morgan, Sr.	2			1	1	5	1		do
	Hannah Morgan, Jr.		1						1	do
	Cynthia Wilson		1				1	1		

Endorsements: B. 7108 Agreement B. Indian Office Incloa. No. 5. 1834. Kilberry Fleetwood Agreement.

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EXHIBIT B.

E.J.J.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Aug. 21, 1834.

R 11

I, Thomas P. Smith, Acting Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true copy of the original on the same appears of record in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.

(Signed) Thos. P. Smith,
Acting Commissioner

(SEAL)

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No. 200.

Moses Morgan Supt. near Smith Mill two miles from the Missionary on the North side of High Wassa river.

1 Cabbin 16 by 16 round logs board roof puncheon on floor, wood chimney stone back &c	$10.00
1 Kitchen 12 by 10 round logs dirt floor	3.00
1 Stable 12 by 10 round logs board roof	4.00
1 Corn Crib 8 by [illegible]	4.00
1 Lot [illegible]	3.00
[illegible] acres bottom land a [illegible]	55.00
	$79.00

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EXHIBIT G.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.
WASHINGTON, D.C. July 30, 1885.

I, Hiram Price, Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true and literal copy of the Muster Roll of 484 Cherokee Emigrants who left the Agency east on the 14th day of March 1834 - under Lieutenant J. W. Harris, as reported on the 12th day of April 1834 by B. F. Carter, Superintendent of Cherokee Emigration on the same appears of file in this office.

(Signed) H. Price,
Commissioner.

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DEPARTMENT OF THE INTERIOR,
WASHINGTON, D.C. July 30, 1885.

I, M. L. Joslyn, Acting Secretary for the Department of the Interior of the United States of America, do hereby certify that Hiram Price whose name appears signed to the foregoing certificate is now, and was at the time of signing the same Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such; and that the paper hereto attached is a true and literal copy of the Muster Roll of 484 Cherokee Emigrants who left the agency east on the 14th day of March 1834 under Lieutenant J. W. Harris, as reported on the 12th day of April 1834 by B. F.

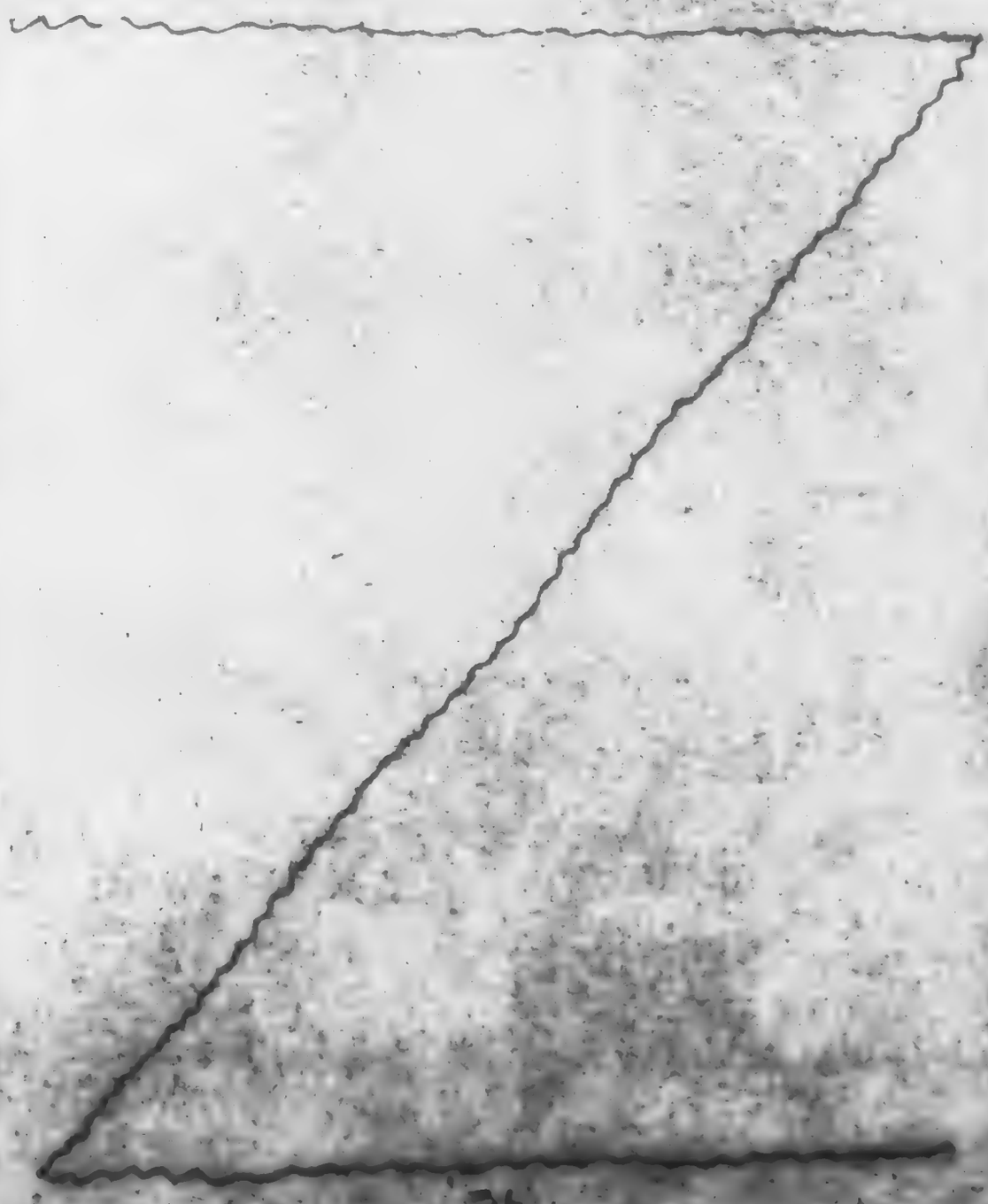
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Carrey, Superintendent of Cherokee Emigration, as the same appears of file in this Department.

In testimony whereof, I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.

(Signed) W. L. Joslyn,
Acting Secretary.
C. N. D.

(SEAL)



MUSTER ROLL of a Company of Cherokee Indians about to emigrate West of the Mississippi River,

Under the direction of Lieutenant J. W. Harris.

Names of heads of Families	Numbers and Ages of Indians. Males: Under 10	Males: of 10 & under 25	Males: of 25 & under 50	Males: Over 50	Females: Under 10	Females: of 10 & under 25	Females: of 25 & under 50	Females: over 50	Number of Slaves: Males	Number of Slaves: Females	Total Number	Remarks.
Black Fox	2	2	1		2	3					10	Chicamauga, Tennessee
Nancy and Mother						1	1				2	From within the limits of the State of Georgia
James McGrays family	2	2	0		3	1	1				9	Valley River N. Carolina
William England	2	2	1		1	3	1				10	Long Bullen Creek N. Carolina
Alexander McGray	1	1	1		2		1				6	Peach Tree Creek N. Carolina
David Foss	3	1	1		1		1				7	Valley River N. Carolina
William Russell	3	1	1		1		1				7	Valley River N. Carolina
Saml. Simons	3		1		2		1				7	Nantly N. Carolina
Ezekiel Butler			1								1	Valley River N. Carolina
Elijah Spurlock		1							1		2	Valley River N. Carolina
Keala Morgan, Sr.		2	3	1	1	2					10	Little River N. Carolina
Bryant Ward		1	1		2		1				5	Valley River N. Carolina
Keala Morgan, Jr.		1									1	

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Anny Scurjohn							1		1							2		Mantly N.Carolina
Hamon Rolin					1											1		Mantly N. Carolina
Ruth Ward		2					1		1		1					5		Mantly Georgia
Saml Downing			1													1		Chicamauga Tennessee
Bird and Wife					1				1									Coosawattee Georgia
William C. Griffins Wife									1							1		Valley River, N. Carolina
Betsy Gore and husband		1		1		1		2				1				6		Tissquitta N.Carolina
Jacob Saunders & Wife, only				1				1								2		Tusquitta N.Carolina
James McDaniel & Wife		1		1		1		2		2		1				8		Chicamauga Tennessee
Oly yu Kah						1										1		Near Columbus Tennessee Deserted
Saml. Ward						1						1				2		Cottoogana Georgia
George H. Ward		1		1				2		1						5		Cottoogana Georgia
Charles Ward						1										1		Mantly Georgia?
Bear Foot		1		1		1		2				1				6		Chatata Tennessee
Cooeester								1				1				2		Chatata Tennessee
Jim Coiry						1		2				1				4		Chatata Tennessee
Johnson						1										1		Talauha Tennessee Deserted
George Murphey				1												1		Long Savanna Tennessee Deserted
Saml Reynolds		1		1		1						1				4		Ottowa Tennessee
Stephen Spaniard				1		1		1				1				4		Ottowa Tennessee
John Woodard		1		1		1		4		1		1				9		Toqua Tennessee
Mariah Spaniard		3				4				1		1				9		Toqua Tennessee
Polly Spaniard		1						1		1						3		Toqua Tennessee
Green Rogers				1												1		Chestova Tennessee
Mistaken Gritts						1										1		Long Savanna Tennessee
Moses Gritts						1										1		Long Savanna Tennessee
Spanish John		2		2		3								1				Toqua Tennessee
Jack Spaniard		1				1				1						3		Cottowa Tennessee
Sequoche		2				1		2		1		1				7		Amohe Tennessee
Edward Spaniard				1						1						2		Toqua Tennessee
Little Ridge				1			2									2		Candys Creek Tennessee Deserted
Che yu ne Kah				1												1		Chestoee Tennessee
Anneh		1										1				2		Chatata Tennessee

| | | |

Benjamin Bowmin			1						1						2		Salacoa Georgia	
Nathan Pice			1						1						2		Salacoa Georgia	
Doctor Coke			1						1						2		Salacoa Georgia	
Alexander Walls																		
family			1						1						2		Elijay Georgia	
Jackson Smith			1			1			1		1				4		Chattooga Valley Alabama	
Good Money & Wife		2			1			2			2				5		Chestooa Tennessee	
Missy McCray									1						1		Conesango Tennessee	
Rebecca McCray									1						1		Conesango Tennessee	
Milly McCray									1						1		Conesango Tennessee	
Ruth McCray		2	1					2	1						5		Conesanga Tennessee	
McCray, Sr.						1									1		Long Savanna Georgia	
Lewis McCray				1											1		Chicamauga Tennessee	
Jane Wilson									1						1		Elijay Georgia	
James D. Henson			1	1			3				1				3		Elijay Georgia	
Will Tucker				1							1				3		Elijay Georgia	
James Walkingsticks																		
family		2	1				1				1				5		Coosawattee Georgia	
Amos Richardson		2		1			2				1				6		Coosawattee Georgia	
Thomas Livingston			1						1						2		OohKa lo ga Georgia	
Martin McIntosh				1											1		Browns Town Alabama	
William Elder			1												1		Oul Tena Tennessee	
Geo. Bridgmaker			1												1		Aumche Tennessee	
Nah Kullah				1											1		Aumche Tennessee	
Potecohkee, or Widow																		
Skitt			1						1		1				3		Skena Georgia	
The Pigue			1												1		Skena Georgia	
Nerva Chova			2						2						4		Mantly N.Carolina	
Nancy Dead and Wife		1	1	1					1						4		Mantly N.Carolina July deserted	
Jessee Christy			1					2	1						4		Mantly N.Carolina	
and wife																		
William Bolin		4	2	1				1			1				9		Mantly N.Carolina	
Thomas McDonald		1		1				2	1						5		Mantly N.Carolina	
Daul McDonald		1	1					2	1						5		Mantly N.Carolina	
Spencer Shelton																		
and wife		3	2			1		2	1						9		Mantly N. Carolina	
Pott, Shelton		3	1												4		Mantly N.Carolina	
Henry Bolinger																		
and Owestee			1					2	1						3		Mantly N.Carolina	
Sally Kell		1							1						2		Mantly Georgia	
Polly K. Ward		2						2	1						4		Mantly Georgia?	

Alex. McDonald		2		2			1		1		1							
Thos. McGray					1											6	Mantly	N.Carolina
Gah ke, a young woman																1	Mantly	Georgia
Jack Griffin		2			1			1		1						1		Tennessee
Danl.Griffins Wife								1		1				1		6	Chatowa	Tennessee
3/4 part of family		1						1		1		1						
Wm. Brwor		1		2						1		1			2	6	Chatowya	Tennessee
Mrs. Chick				1						2		1				4	Long Savanna	Tennessee
Catharina Lacy		2			1			3		2		1				4	Creek Path	Alabama
William Wilson		3			1			1		3		1				8	Creek Path	Alabama
Thomas Griffin				1												3	Creek Path	Alabama
Early Cordery				1												1	Chicamuga	Tennessee
Robt. Fields				1												1	Chatahouchy	Georgia, Transportation and subsistence only
Thec or Otter		5			1			2		2		1				2	Owl Town	Tennessee
Sour Crout				1												11	Hiwassee	Tennessee
Jew Otterlifter				1												1	Red Hill	Tennessee
Elizabeth Shepard				1												1	Red Hill	Tennessee
															1	2	Mouse Creek	Tennessee
																106		

Whole number mustered

The foregoing is a correct Muster Roll of a Company of Cherokees who set our from the Cherokee Agency East on the 14th day of March 1834 under the direction of Lieut J. W. Harris, Fifteen of whom it will appear have deserted since they were mustered at the Agency for a removal West of the River Mississippi

Col. Geo. Gibson
Comy. Genl. Subsistence
Washington City.

Ben. F. Currey / Supt.
Cherokee Emigration
April 14 - 1834.

Endorsements:

Lafayette Teal S. D. C. Ruwards
A.

Indian Office Encls. No. 4 1834

Kljerry Fleetwood Muster Roll.

I, A.R.Breker, do solemly swear that on the 7" day of September, 1895, I saw a package registered at the post office at Vinita, I. T. addressed to S. M. Hayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., That registry receipt No. 405 hereto attached is a receipt for said package which contained true copies of the application of Elijery Fleetwood and others and the affidavits of Lucinda Fleetwood, marked Exhibit A-1-5 Affidavit Charles Wickliffe, Marked exh bit, 2;Nathaniel Fish, marked exhibit 3; Rachel Smith, marked exhibit 3; William Matey, marked exhibit 4; R. D. Cary marked exhibit 5; Walter A. West, marked exhibit 6; James C. Childers, marked exhibit 7; Nancy Starr, marked exhibit 8; William Matey, marked exhibit 9; J. L. Ward marked exhibit 1; James Thorp marked exhibit 11; Peter Wick marked exhibit 12; Watson Sanders marked exhibit 13; William Cimlin, marked exhibit 14; Filpon or Wee lee sunee, marked Exhibit 15; Simon Johnson, marked exhibit 16; T. M. Buffington, marked exhibit, 17; Stephen D. C. Edwards, 18; W. S. Brown, marked exhibit, 19; Willis Meeks marked exhibit, 20; W. S. Stanfield, Exhibit 20, Elijerry Fleetwood, Exhibit 22. John W. Webb Exhibit 23, Stephen D. C. Edwards Exhibit 24, William C. Woodall, Exhibit 25, LaFayett Teel, Exhibit 26, W. C. Woodall Exhibit 27, Stephen D. C. Edwards Exhibit 28, & J. A. Deshazo 29? Administrators Bond, Exhibit A. Marriage Record, Exhibit B. Jury Record Exhibit C. Common Law Record No. 27 Exhibit D. Certified Copy of Record, Interior Department Exhibit E. Certified Copy of Record, Interior Department, Exhibit F. Certified Copy Interior Department Exhibit G. in support of the same.

(Signed) A. R. Breker.

Subscribed and sworn to before me this the 7" day of September, A. D. 1896

(Signed) Harry E. Dom-Carlos

(SEAL)

Notary Public, My Commission Expires May 11th, 1900.

REGISTRY RECEIPT.

Vinita, Sep 7 1896.

Post Office at

Cherokee Nation, Ind. Ter.

Registered Letter No. 405, Rec'd Sept. 7, 1896, of W. S. Stanfield addressed to S. M. Hayes, Tahlequah, I. T.

(Signed) D. A. Frayser P.M.

L.

Page 188 Docket "A"

(CHEROKEE NATION'S ANSWER AND DEMURRER.)

Lafayette Teel.

Office Commission on Citizenship,
Tahlequah, C.N. May 31st, 1887.

Docket. No.	Names.	Age.	Sex.	Post Office	Atty.
1	Lafayette Teel	29	Male.	Mayesville, Ark.	
2	Manerva Teel	7	Female		
3	Carrie A. Teel	5	Female		A.E.Jury.
4	Wm. L. Teel	1	Male		

Application for Cherokee Citizenship.

V.S.

Rolls 1850 to 1852.

Cherokee Nation

Andestor

Filed May 31,1887.

One Morgan

See decision next page. Adverse to claimants.

Connell rogers, Clerk Com. onCitizensh

Aug. 7th, 1888.

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Martha W. Drwon.

Office Commission on Citizenship,
Tahlequah,C.N. May 31st, 1887.

Docket. No.	Names.	Age.	Sex.	Post Office.	Atty.
1	Martha W. Drown	28	Female	S.W.City, Mo.	
2	Cassie Drown	8	Female		
3	Wm. D. Drown	6	Male		A.E.Jury
4	Lula J. Drown	4	Female		
5	Martha Drown	1	Female		

Applicant for Cherokee Citizenship

V.S.

Rolls 1835 to 1838

Cherokee Nation

Ancestor

Filed May 31,1887.

Hesie Morgan

Commission on Citizenship,
Cherokee Nation, Ind. Ter.
Tahlequah August 7th, 1888.

Martha W. Drown, et al. }
v. Lafayette Teel,et al. }

vs :
Cherokee Nation.)

The above two cases, that of Martha W. Brown, et al, and Lafayette Teel, et al, applicants for Cherokee citizenship in the Cherokee Nation, were filed in this office on the 30th day of May, 1887. Both claiming decent from one Hosie Morgan, who then allege was of Cherokee Indian blood.

Martha W. Brown, nee Fleetwood, is the grand daughter of Hosie Morgan, and Lafayette Teel is the son of Martha W. Brown's sister name unknown, consequently her nephew, and the great grand child of Hosie Morgan. They both claim rights in the Cherokee Nation through the same source, that of being descended from Hosie Morgan. The Attorneys, Messrs. Ivey & Hitchcock, for plaintiffs agreed with the Nation's attorney, Hon. R. B. Wyly, that these two cases should be tried and determined upon the same evidence, as they are identically the same in respect to Cherokee citizenship i/e. if one is a Cherokee the other must be.

These cases were submitted to the Commission or Citizenship on the 4th day of August, 1888. All the evidence being in upon which to base an opinion

The evidence of Charles Wickliff on part of the plaintiffs in this caseu, goes to show that he is 63 years old, and that he has known Lucy Fleetwood for about 58 years, and that he knew her back in the Old Nation and that she went to school at that time at Valley Town Mission, in the State of North Carolina, and that this school was established for Cherokees and that he neverknew any other than Cherokee children to attend this school and that Lucy Fleetwood had two brothers that went to this Mission with her and that their names were Sam and Jerry, and that he Hosie Morgan, looked like an Indian, but that he did not speak the Cherokee language, but understood it, and that he was considered a Mexican or Spaniard. Mr. Wickliff further says that when a part of the Cherokees left Calhoun in the Old Nation in the year 1834, that he understood Hosie Morgan and family came to this country with them, and that he came to this Nation in the year 1839, but did not know if Hosie Morgan and family were ever recognized here as Cherokees. He further says that he was 10 or 11 years old when he went to this Mission school, before mentioned, in North Carolina, and that it was during this time that Hosie Morgan and family came into that section of country from the State of Georgia, and that he remained there about two years, but did not know if Hosie Morgan and family had any kins-folks among the Cherokees, or not, but did not know that the wife of Hosie Morgan had curley, kinky or negro hair.

The evidence of Mrs. Nancy Starr, a full blood Cherokee woman, in behalf of claimants, taken before Judge J. L. Ward, District Judge of Deleware District, Cherokee Nation, on the 20th day of June, 1887, is wholly denied by said Nancy Starr on a cross examination made by the Nations Attorney, Hon. R. B. Wyly, on the 11th day of May, 1888. A letter of Judge J. L. Ward over his Official signature, on file in this office, goes to show that Nancy Starr cannot speak or understand the English language, and that he had an interpreter, Lafayette Teel, one of the applicants in the cause, to interpret the statement that should have been made by said Nancy Starr, and that he, Ward, does not understand the Cherokee language himself, and only recorded that which Lafayette Teel gave him to understand Nancy Starr should have said.

The testimony of Sam Johnson, taken before a former Commission on Citizenship, under date of 19th of Sept. 1883, in the Lucy Fleetwood case, (tried before a former Commission and decision adverse to her on the 29th day of Sept. 1886,) and that the claimants in the cause were recognized as Cherokees - that the boys had served as guards &c, but upon the cross examination, he said that he never participated in the per capita payment of that year, of Cherokees.

William Wilson states in the matter of the claim of Lucy Fleetwood, the mother of Martha T. Brown, and grand-mother of Lafayette Teel, before a Commission on Citizenship, under date of Oct. 1st 1883, that he knew Lucy Fleetwood, but did not know of what blood she was, that she looked like a half negro, and that he had her sons hired under a permit to do work for him in Deleware District, and that at one time they tried to prove by him before the United States Court, that they were Cherokees, but failed. Mr. B. W. Alberty who gave testimony before a former Commission in the Fleetwood case for citizenship, says: That he is 52 years old and a Cherokee by blood, and that he was acquainted with the Fleetwood family in 1852, and that they removed into his section of country from Kansas, and that he knew them up to the year 1861, and that had three of Lucy Fleetwood's boys employed under permits to work for him, and that they were regarded and known as the Catawbas, and that he had them employed the same as if they had been white men, and that he knew during the "Old Settler" payment in this country, and that they never applied for money, claiming they had a reight to participate in the distribution of this fund.

The statement of John G. Harnage in the Lucy Fleetwood case, taken Sept. 29th, 1884, shows that he took the Census of the "Old Settler" Cherokees, preparatory to making the payment to them, in that year 1851, and that while doing so, he met Lucy Fleetwood in Deleware District, and she claimed to be an "Old Settler" Cherokee, and asked to enrolled as such. Mr. Harnage says: That she failed to satisfy us, the census takers, that she was even a Cherokee, and that her name was not taken. She brought an Atty, and witnesses to Tahlequah, the Capitol of the Cherokee Nation, where the Census Rolls of "Old Settler" were being completed, to have her claim adjusted. The evidence was taken before a Commission, says Mr. Harnage, composed of Judge Drew, Cherokee Agent, Brown; Lewis Rogers and myself, in which it was shown that Lucy Fleetwood came to this Nation with a detachment of Cherokees in the year 1834, but failed to prove that she was of Cherokee Indian descent. This was about the year 1850. The testimony of Moses Ward taken before this commission on the 17th day of May 1886, shows that he was 72 years old, and that he was acquainted with one Winnie Fleetwood, who afterwards married a man by the name of Brown, and lived at Beatties ~~Prairie~~Prairie in Deleware District, Cherokee Nation, and that she is the daughter of Lucy Fleetwood, and that he was also acquainted with her, and was some what with Fleetwood, a white man, her husband. The names of Lucy Fleetwood's children are says Mr. Ward, Edward, Miles, Aquilla, Jerry, Thomas, Sarah and Winkie, and one other the mother of Steve Edwards and Lafayette Teel. After the war he says, at an election in Deleware District, in which he was Judge, these Fleetwoods presented themselves to vote, but were not allowed to do so, as they were not recognized as citizens of the Cherokee Nation. That he was once speaking of these folks to Mr. Bill Ragan, now dec'd, when Ragan remarked that it was either his father or his grand father that once owned Lucy Fleetwood's mother as a slave, and that Bill Ragan was once a Deputy Marshall and stood as high for truth and honor as any man in Benton County, Arkansas.

The evidence of James Wofford in this case is both expolusive and satisfactory, as it not only shows that he was acquainted with the Fleetwoods family in this Nation, but that he knew them in the Old Nation, prior to the Treaty of 1835. Mr. Wofford is a man of fair education and great integrity, he is now 68 years old and was a member of the Senate of the Cherokee Council in the Old Nation, which position he held for several years - until he removed to this country - and that he was often Interpreter for Courts and Ministers of the Gospel. Mr. Wofford says that he knew Hosie Morgan in the Old Nation, and that he lived in the North Eastern District of the Nation, next to the North Carolina line, and that he then had a family, some of which were grown, and that Hosie Morgan claimed to be a Catawba Indian, and that his wife was a colored woman and had formerly been a slave, and that Hosie Morgan left that country before the treaty of 1835. Mr. Wofford further states, that Hosie Morgan

made application to the Council in the Old Nation for citizenship among the Cherokees, but that his request or petition was not granted, on the grounds that he was not a Cherokee, but was allowed on account of him being a Catawba Indian, to open up a field in the (then) Cherokee Nation, upon which to make a living. That he knew Hosie Morgan well, and that he, Hosie Morgan, told him that he was a Catawba Indian, and was so regarded, and that Mr. Hagan who used to own Hosie Morgan's wife, the mother of Lucy Fleetwood, and grand mother of Martha W. Brown, and great-grand-mother of Lafayette Teel, as a slave, lived near the line of North Carolina, in one of the Old countries, and that this man x Hagan just spoken of, was the father of William Hagan, who is now dead, that use to live in Arkansas near the Cherokee line, who was once a Deputy Marshall, and a man well thought of by all who knew him.

We the Commission on Citizenship after taking into Consideration the evidence in this case, are of the opinion that the applicants Martha W. Brown, et al., and Lafayette Teal, et al, are not Cherokees by blood, as the testimony is conclusive in its proof that they are of an admixture of Catawba and negro blood, with no evidence whatever, other than the allegations contained in the application for citizenship, that they are Cherokees which they have signally failed to establish. The fact of Hosie Morgan's children going to a Mission school established for Cherokee children, is no proof that they were Cherokees, only the supposition, which in the face of contradictory testimony sets this idea asid as being unworthy of notice. For the Missionary schools of that day and time, and down to the present, were governed and controlled by the Missionary Boards of the various Churches, and Indians have nothing to do with their maintainance and support. They being wholly under the supervision of the Missionaries, and while their object was, and is, ostensibly to benefit the Indians, it is a well known fact that children of any race, whites, negroes & Cherokees attended these schools.

This Fleetwood family have not continuously resided in the Cherokee Nation, going out into the States and returning at intervals. As to who Hosie Morgan was, the ancestor alleged in these cases, previous to his coming into the Old Cherokee Nation, is wholly unknown to this Commission, or even of what race of people he might have been, other than what he said himself, that he was a Catawba Indian. The evidence of Charles Wickliff and James Wofford would seem to indicate that he might have been of Mexican extraction. On this point there is nothing definite. We fail to find the name of Hosie Morgan upon any of the rolls of Cherokees mentioned in the 7th section of the Act approved Dec. 8th, 1906, in relation to citizenship, and known as the rolls of 1835-1848-1851 and 1852, or upon the "Old Settler" rolls of the years 1851-neither do we find the names of the applicants on any of the rolls just mentioned, and do hereby declare, that Martha W. Brown and her four children, viz: Cassee, William D. Lula J., and Martha Brown, and Lafayette Teel and his three children, viz: Minerva J. Carrie A., and William L. Teel are not Cherokees by blood, and are not entitled by virtue of their blood to any of the rights and privileges of Cherokee citizens, and are intruders upon the public domain of the Cherokee Nation.

John T. Adair, Chairman Commission.

H. C. Barnes, Commissioner.

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Martha W. Brown,)
)
vs : Office Commission on Citizenship.
) Tahlequah, I.T. April 16th, 1888.
Cherokee Nation.)

W. W. Ward who first being duly sworn upon his oath states: I am a citizen of Deleware District, C. N., and am 32 years old. I know the applicant. She is from the Fleetwood family. I have known their family about 15 years, two of Mrs. Fleetwood's children went to school with me in Delware District, to Frank Thompson, teacher, As Cherokee children their names were Sarah and Thena Fleetwood. These parties, Sarah and Thena I recognize as the sisters of the applicant Martha W. Brown.

(Cross-Examination)

I dont remember the year that these parties Sarah and Thena Fleetwood went to school to Frank Thompson in Deleware District at Beatties Prairie scholl. I think these parties went to this one session. It was about this time that I heard the Rights of this Fleewood family disputed in being Cherokees. I have known other children, not Cherokees that went to school to the Beatties Prairie school afterwards (i e) after I went with these parties to this same school.

Attest. Connell Rogers, Clerk Com.On Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah, I. T., April 16, 1888.

J. L. Ward who first being duly sworn upon his oath states: I am a citizen of the Cherokee Nation and reside in Deleware District C. N. and am 43 years old. I am acquainted with the applicant. I know nothing of her ancestry except that I knew her mother Loucinda Fleetwood.

Loucinda Fleetwood is now dead. She died in about the year 1886. She lived in Deleware District, C. N. I never heard that Loucinda Fleetwood was any other than a Cherokee Indian until after the war, her children went to school as Cherokee children and were acknowledged. I think these children went to school at Beatties Prairie for one term. Mrs. Fleetwood must have lived in Deleware District for the space of 3 or 4 years before her citizenship as a Cherokee was in any way questioned.

(Cross-Examination.)

I think Mrs. Fleetwood died in Deleware District, C. N. I dont remember what year it was that Frank Thompson began teaching school in Deleware District, C. N. after the war. The question referred to above concerning the rights of these parties to citizenship arose out of a row with her sons and Moses Ward's sons. This was about the year 1872 that this row took place above spoken of. There were children, not Cherokees who afterwards attended that school (Beatties Prairie) this was after Frank Thompson had quit teaching there. I was not acquainted with Mrs. Fleetwood before the war. I became acquainted with her after the war. I never heard that Mrs. Fleetwood's rightswere disputed as far back as 1861 at the time of the Old Settler payment. As a matter of fact, personallly I do not know how Mrs. Fleetwood derived her Cherokee blood if she has any.

Re-direct.

At the time I speak of, that Mrs. Fleetwood's children went to school they went as Cherokee children. I am acknowledged as a Cherokee Indian and accepted as such. I held the office of District

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Judge of Delaware District, C. N. The applicant Mrs. Brown has a family.

Re-direct-Cross Ex.

Mrs. Brown's husband is Gentry Brown reputed to be a white man. I dont know whether he had a family before he married the applicant or not.

Witness.

Connell Rogers, Clerk Com. on Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah I. T., April 14, 16th, 1888.

Martha Brown, the applicant, being sworn upon her oath in the matter of her children, says as follows:to-wit: I am 30 years old. I have five children living whose names are Casey, her age is about 12 years Willie, his age is about 7, Luly, her age is about 5 years, Martha, her age is about 3 years, and Myrtle Brown who was born in this year.

Witness.

Connell Rogers, Clerk Com. on Citizenship.

Martha W. Brown.)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah, I. T. May 16th, 1888.

Charles Whitliffe who first being duly sworn upon his oath, states as follows, to-wit: I am a citizen of the Cherokee Nation and live in Saline District. I am about 69 years old. I dont know anything about the applicant. I am acquainted with Lucy Fleetwood. I knew Lucy Fleetwood since the year 1830 or 1831. I knew her home in the Old Nation where she was going to school. She was going to school at the time that I mention, at the Valley Towns Mission in the State of North Carolina. Evans Jones was the teacher, it was a baptist. The Mission spoken of was established for the Cherokees. None other than Cherokees were allowed to attend this Mission. I never knew any body to attend this school but acknowledged Cherokees. Those that went to this Mission were, on account of it being a school for such persons, supposed to be Cherokees. This Lucy had two brothers that went to this school, at the same time, their names were Sam and Jerry. I knew Hasie Morgan who was the father of Lucy Sam and Jerry. Hasie Morgan looked like a full blood Indian. He did not speak the Cherokee language. He was considered a Mexican or Spaniard. Hasie Morgan's wife was considered a Cherokee Indian. These parties did not talk the Cherokee language but understood it. They lived in the Cherokee Nation. They came from Georgia to North Carolina. They were not Natives there. They brought these children, Lucy, Sam and Jerry with them when they came from Ga. If these parties who attended the Mission were not Cherokee I do not know how the Rev Evans Jones allowed them to attend. These parties left North Carolina in the year 1835 and went before the agent at Calhoun and enrolled for transportation to this country. I suppose as Cherokees. When the Cherokees left Calhoun in the year 1838 I was told that they came too. I came to this country in the year 1839. I saw Lucy here in the year 1843. I dont know if these parties have been recognized here in this Nation or not.

-oo-

Cross-examination.

I was 10 or 11 years old when I went to the Indian spoken of above. I was going to this school when three parties came into that neighborhood. I went to this school about 4 or 5 years in all the time I attended. I was still going to this school when Hosie Morgan and family left that country. Rev. Evans Jones and children but they did attend this school. Hosie Morgan's wife was of a dark complection, her hair was curly. I dont know if these parties ever had any kinsfolks among the Cherokees. I never heard any Cherokees ever claim kin with them. Hosie Morgan never had any reservation as a Cherokee Indian. I knew the family of Hosie Morgan in North Carolina about two years.

Re-direct Exam.

In referring the matter of "curley" hair above, there is but one word to use when you would speak of "curly or Kinky" hair. This woman had kinky hair.

Attest,
Connell Rogers, Clerk Com. On Citizenship.

Martha V. Brown, }
vs. : Office Commission on Citizenship.
Cherokee Nation. }

Tahlequah, I. T. April 13, 1888.

James Gafford who being duly sworn upon his oath states I am in my 82 year. I am a citizen of Delaware District, C. N. I was raised in Georgia in what is now Lumpkin County. I am a Cherokee by blood. I was a member of the Cherokee Senate in the Old Nation for sever l years and was a member of the Senate until after I moved to this country. I was interpreter for Ministers of the Gospel.

I knew Hosie Morgan in the Old Nation. I understood that his name was "Hosie" he lived in the North East District of the Nation next to North Carolina. He had a family and several children. Some of his daughters were grown at that time. Hosie Morgan claimed to be a Catawba Indian. Hosie Morgan's wife was a colored woman and had formerly been a slave. Hosey Morgan left that country with a detachment of Cherokees. I knew Hosie Morgan well. He was a full blood Indian and he told me himself that he was a Catawba Indian and that his personal reputation was as such. His wife was a colored woman and is what we call a negro and about the color of a negroes ordinarily. In the Old Nation, Mr. Hosie Morgan, made application to the Cherokee Council for citizenship and the Council refused to grant it, but told him to go on a field for his support. Hosie Morgan was never recognized as a Cherokee Indian, only allowed to remain and live them before of his Indian (Catawba) Blood. When the now Old Mrs. Lucy Blackwood came to me and wanted me to assist her in proving her citizenship in this Nation. I told her that I could be of no assistance to her for the reasons stated above, that I knew Hosie Morgan and wife and was fully satisfied that matter and my Cherokee rights. The owner of Mrs. Hosie Morgan used to live near the line of North Carolina in one of the old counties. He belonged to the Father of the Judge, dec'd, who lived near the Line of the Cherokee Nation in Arkansas on Flint Creek. I am not acquainted with the applicant.

Cross-Exam.

I have to knowledge that Hosie Morgan was not a Cherokee only the Council refused to grant him citizenship and allowed him to remain among them as a Catawba Indian. His talk was not of the Cherokee language. His accent was that of a Negroes.

(Question by Court.)
Re-Direct.

I believe Lucy Fleetwood was considered a daughter of Rosie Morgan. She had two sisters older than she was. She was not grown when she left the Old Nation. My understanding is that Lucy married a discharged soldier after she came to this country by the name of Fleetwood.

Attest.

Connell Rogers, Clerk Com. on Citizenship.

Martha W. Brown,)
vs : Office Commission on Citizenship.
Cherokee Nation.)

Tahlequah, I. T., May 17, 1895.

Rosey Ward, who being duly sworn, upon part of the Nation, says as follows, to-wit: I am a citizen of the Cherokee Nation and am 72 years old and live at Vinita, I. T. I am acquainted with one Winnie Fleetwood. I knew her at Beatties Prairie in Delaware District, C. N. I have known this Winnie since the war of the Rebellion, her mother was Lucy Fleetwood. I was acquainted with Lucy Fleetwood. I knew Lucy Fleetwood before the war. I have seen her husband Fleetwood, but was not much acquainted with him. Fleetwood was known as a white man. This man Fleetwood came to Beatties Prairie about 40 years ago. This Lucy Fleetwood was with him then at that time. I dont think, these parties were citizens of the Cherokee Nation It was my understanding that they were here under permit, and since that time Wm Wilson told me that he got a permit for them, to work upon his (Wilson's) farm. Some 10 years previous to the war these parties left Beatties Prairie and went up about Carey's Ferry on Grand river in Delaware District. I next knew Lucy Fleetwood after the war, where she came back to Beatties Prairie. It was my understanding that Fleetwood was killed during the war, near Ft. Scott, Kansas. The names of Lucy Fleetwood's children were Edward, Miles, Angilina, Jerry, Thana, Sarah, Winnie and one other the mother of Steve Edwards and Lafeyette Teel, and the wife of James Tincup, now living in District of Delaware. I was here at the Old settler payment in the year 1851, I think. I do not know whether Lucy Fleetwood drew money as an Old Settler or not. I do not know whether Lucy Fleetwood came to this country before the emigration or with it. After the war when Lucy Fleetwood and her children came back to Beatties Prairie, her sons presented them sel ves to cast their votes in an election and their right to vote was questioned, and they were accordingly not allowed to do so. I was one of the judges of the election at the time Ed Fleetwood voted, he had married a Cherokee girl They were objected to on the grounds that they were not citizens of the Cherokee Nation, and they, them never tried to prove that they had a right to vote. Among the people at that time, this Lucy Fleetwood was supposed to be a Catawba. After this I was talking to Bill Fagan (dec'd) We were talking of the Fleetwoods and he said that it was either his father or his grand father that owned Lucy Fleetwood's mother as a slave, and he said if asked as to what these parties were, he would tell exactly what they were. Bill Fagan was, before the war, a U. S. Deputy Marshal. The talk I had with in reference to these Fleetwoods took place after the war. Bill Fagan as a man, stood as fair as any man in Benton Co. Ark., for truth and honor. I dont know who this Winnie Fleetwood married but it was my understanding that she married a man by the name of Brown.

Cross Ex by Plaintiff.

No Ques.

No Ans.

Attest. Connell Rogers, Clerk Com. on Citizenship.

(1) Testimony of John G. Harnage taken before a former Court and attested by C. O. Frye, marked ("B" 1st)

(2) Testimony of D. W. Alberty taken before a former Court and attested by C. O. Frye, marked ("B" 2nd.)

(3) Testimony of Wm. Wilson taken before a former Court and subscribed by himself, marked "B" 3rd.

(4) Sam Johnson's statement is on file and marked thus ("B" 4th) taken before a former Court.

(5) Deposition of Nancy Starr taken before H. F. Landrum, Interpreter and Deputy clerk is on file and marked thus "B" 5th.

(6) Deposition of Nancy Starr taken before J. L. Ward of Delaware District is on file and marked ("B" 6th.)

(7) Correspondence of J. L. Ward in relation to the affidavit of Nancy Starr. Said affidavit is said to be denied by affiant, is on file marked ("B" 7th.)

Copy.

OFFICE COMMISSION ON CITIZENSHIP.
Tahlequah, C. N.

In the case of Lucy Fleet-)
wood,)
vs. : APPLICANT FOR CITIZENSHIP.
The Cherokee Nation.)

John W. Harnage being introduced and sworn states: My age is 65 years. I reside at present in Texas. My P. O. address is Milmore, Texas. Some years ago while taking the census in of the old settlers I met with a lady called Lucy Fleetwood. She came to me in Delaware District, claiming to be a Cherokee, and an old settler. She failed satisfy us as the census takers, that she was a Cherokee, and we did not enroll her as such. She brought her attorneys and witnesses here at this place where we wound up the census. We could not decide of what blood she was. We knew she was not a Cherokee. She failed to draw headright money. The old settlers all drew money. The old settler payment was made some thirty-one or two years ago. I think that her evidence showed that she came here in the detachment that was sent here in 1834. The case was investigated by myself, Jude Drew, Cherokee Agt. Brown, Louis Rogers. She failed to prove that she had Indian blood in her. Her witness was Tom Seaton She only had one witness, and failed to establish the fact that she was of Cherokee descent. Lucy Fleetwood came to us alone. I don't know whether she had any other brothers and sisters. Our clerk and Louis Rogers were acquainted with her.

John W. Harnage.

Sworn and subscribed before me on this the 29th day of Sep 1834.

C. O. Frye,
Clerk Com on Citizenship.

Copy.

OFFICE COMMISSION ON CITIZENSHIP.

No. 134.

Lucy Fleetwood,)
vs. : Application for citizenship in
Cherokee Nation.) Cherokee Nation.

D. W. Alberty.

Being produced in open court and after being duly sworn states: I reside in Coweescoowee District, C. N. My P.O.

address is Chartiss, C. N. My age is 62 years. I am a Cherokee by blood. I was acquainted with a family of Fleetwoods in 1852. They came from Ft. Scott, Kansas, to my neighborhood. I knew that family up to 1861. I had Tommy and Henry and Charley employed. I had permits for them. I had the mother employed though I have forgotten her name. Tommy got to borrowing horses and some one killed him. I did not hear of them any more till since the war. I heard of them in Delaware District. They were always called Catabs. I never heard of them being called Cherokees. They did not claim to be Cherokees up to that time. Don't know that we ever met any one of them to know them since the war. I never knew any other family of Fleetwoods being in the Nation. They lived in our neighborhood about ten years. The reason that I had to get a permit for them was that they were not considered to be Cherokees. The old man told me that they came here with the understanding that they could live here they being Catabas. Hence I employed them the same as I would a white man. Had to get a permit for the old man. He hired me his boys. I never heard of them voting. They were here in my neighborhood when the old settlers were paid and when the emigrants were paid, too, and they never applied for any money. At that there were three girls. I believe one of them was named Lucy Ann, and don't remember any other names.

E. W. Alberty.

Sworn and subscribed before me on this the 29th day of January, 1884.

C. O. Frye.
Clerk.

COMMISSION OF CITIZENSHIP:

Tah. C. N., Oct 1st, 1883.

LUCY FLEETWOOD,)
vs. :
CHEROKEE NATION.)

Wm Willson sworn and introduced in the above case as witness states as follows: I know the woman. Not able to say what blood she is looks as though she was half negro. After I left Cotters Prairie and moved on the Arkansas River they occupied my houses. My understanding was that they were under permit. My wife made the arrangement. That's all I know about them. I don't know who got the permit. It strikes me that they came from Kansas. They tried to prove by me in the U. S. Court that they were Cherokee or, but could not. I have heard people say they were Indians. Some said they were not. He has some relations in this country.

William Wilson.

CHEROKEE COMMISSION OF CITIZENSHIP.

Tahlequah, Cherokee Nation, Sept 29, 1883.

No. 148.

LUCY FLEETWOOD,)
vs. :
THE CHEROKEE NATION.)

Sam Johnson for claimant introduced, sworn in open court, testifies as follows: My age is unknown. I am a Cherokee. Live in the Cherokee Nation. Am 56 years old. I am acquainted with the claimant. She and her children have always been recognized as Cherokees, and they enjoyed the privileges of Cherokee Citizenship.

Lucy's boys have often been employed as guards by the sheriff of the district.

By Solicitor.

I live about one mile from Lucy's house. She did not draw any money in the last payment. The boys did not draw. I think they were gone to Texas at the time of that payment. Lucy has four children and three grand-children. She has two daughters. I have been acquainted with Lucy About 18 years. Lucy does not talk good Cherokee.

his
Sam X Johnson.
mark.

Martha W. Brown,)
vs. :
Cherokee Nation.)

Nancy Starr, after being duly sworn states:
Question by Attorney for the Cherokee Nation, R. F. Wily.
Where did you live in the Old Nation?
A. I lived near where Rev. Evans Jones lived at a place called (au-u-wha-se) or Hewasse. There was a river near where I lived called Hiwassee. I came to this nation from the Old Nation in Wofford's detachment. I never saw and knew Lucy Fleetwood's father. I don't know Lucinda to be a Cherokee by blood. She was said to be a Cherokee. Lucinda's mother probably died on the way from the Old Nation to this Nation, as she was very old. I have never seen her in this Nation. This Lucinda Fleetwood I speak of had no other name than Lucinda that I know of back in the old Nation. I never knew the husband of Lucinda Fleetwood. I know nothing about the affidavit purporting to have been taken before J. L. Ward, Judge of Delaware District last year, and I have never made any other statement in regard to Lucinda Fleetwood before any officer since I was at Wahl quah three or four years ago. I never was at Judge Ward's house, and he never was at my house. It has been a good many years- I have forgotten how long it has been since I was up on Beatties Prairie. The a bove is all I know in relation to Lucinda Fleetwood. I do not speak of understand anything in the English language.

her
Nancy X Starr.
mark.

The avove statement taken as a cross-examination of an affidavit or statement purporting to have been made before J. L. Ward, Judge of Delaware District, C. N., June 20th, 1887.

The above statement signed by Nancy Starr, sworn to and subscribed to before me this the 11th day of May, 1888, at the residence of the deponent.

N. T. Lanham,
Special Deputy Clerk and Interpreter.

---o---

OFFICE OF DISTRICT JUDGE, DEL. DIST., C. N.

June 20th, A. D. 1887.

Personally came before me J. L. Ward, Judge of the District and Nation aforesaid, at my office on the day and date above written, Nancy Starr, who, after being duly sworn, deposeth and sayeth: I

lived right by Hosea Morgan and family in the Old Nation, and they never lived in the state whatever I knew anything about, and I knew Hosiea Morgan's mother, and she talked good Cherokee, and passed for a full-blood Cherokee there. All the family talked Cherokee and passed for such in the Old Nation. I knew Mrs. Lucinda Fleetwood to be one of the family of Hosea Morgan. His (Hosea Morgan's) mother's name was Awell, a full-blood Cherokee. Those people were driven out here to this country and they all came alike or was brough here. They lived right around me all the time and I have known them ever since I could recollect. I never heard of them being called anything but Cherokees. They were all alike and considered one family back there- meaning the entire family of the Cherokees. I have known them since they come here- this is, I have known Mrs. Lucinda Fleetwood since she came out here, and Mrs. Fleetwood's uncle, whose name was Rabbit, a full-blo d. The last account I had of him was, he went down in in Flint District. His first wife was named Che-cow-wa, and she died back there, and he married again after he come here, and his daughter by his first wife was my sister. My age, as near as I can tell, is about 85 years. I was married and had two children when we were drove out of the Nation. I live in Delaware District, C. Nation, near Downing Creek School House, and further deponent sayeth not.

Sworn to before me on this the 20th day of June, 1887.

J. L. Ward,
Judge Del. Dist. C. N.

P. S. This certifies that (as to the credivility of the witness she has never been impeached, or that no record appears to that effect, and is reasonable to suppose her testimony good as anybody's

Respectfully,
J. L. Ward.

OFFICE OF J. L. WARD?
Judge Delaware District.
Cherokee Nation, I. T.

May 13th, A. D., 1888.

To the Honorable,
The Chairman of Commissioners' Court of Citizenship,
Tahlequah, Cher. Nation, I. T.

Dear Sir:

Having seen the depostition of Nancy Starr, as taken by the Nation 's Attorney, R. F. Wuly, wherein affiant swears that she made no statement to me, or before me, at any time, in the Lucinda Fleetwood or Martha Brown case, vs. Cherokee Nation, etc.

In justice to myself I thought to write you a few lines in explanation of my action, to-wit: Nancy Starr, above affiant, cannot speak nor understand the English language and I had to take her statement through an interpreter. Said interpreter (Lafayette Teel) being an interested party in the above case, I swore him to interpret without favor or partiality to the best of his judgement, just what the old lady stated, and as I cannot understand the Cherokee language myself, I simply wrote just what the interpreter told me she said.

I suppose they had started to my office for the purpose of making these affidavits and stopped over night with Teel, when the old lady Fleetwood(having been sick before) took suddenly ill again, and send for me to make their sworn statements before. I went to Teel's (some two miles from my office) and took the statements that have been so wholly denied by Nancy Starr, the affiant before mentioned. I had no means of known what she did say state, except through the interpreter, I and I simply set down what he, the interpreter, dictated.

I thought this statement due the court from me that they might clearly understand the case, and further that I have no interest in the matter.

Respectfully and fraternally Yours,
J. L. Ward, J. D. D. C. N.

Page 193, Docket "A".

Office Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept? 19, 1883.

Lucy Fleetwood,)
vs : R. C. Boudinot, Attorney for Claim.
The Cherokee Nation.)

Petition filed September 19th, 1883.
Case submitted by Plaintiff Jan. 11th 1884.
Case set for final hearing Jan. 19th, 1884.
Case continued to Feb. 1, 1884.
Continued to September Term 1884.
Pass. Jan. 12th, by Solic. to the 29.
Submitted by both parties Sept. 29, 1884.

And now on this the 29th day of September A. D., 1884. This case coming on for final hearing, and all the evidence in the case being carefully read and duly considered it was decided by the Commission on Citizenship that the a ove named claimant Lucy Fleetwood is not a Cherokee Indian by blood, and the said Lucy Fleetwood is hereby legally and duly rejected.

Eli Spears, President,
Andrew Young, Com.

Attest. CO.Frye, Clerk,Com.

Copy.

LUCY FLEETWOOD,)
vs. : Application for citizenship.
CHEROKEE NATION.)

To the Honorable Commission on Citizenship: The undersigned, Lucy Fleetwood, would respectfully represent that she is a Cherokee by blood, deriving her Cherokee blood from her mother, Awee, she was a sister to the father of Nancy Starr, a full blood Cherokee woman, now a citizen of Delaware District; that Mrs. Fleetwood's father, Hosia Morgan, came to this country with a Cherokee family of ten persons in 1854, and your petitioner would respectfully ask that she be admitted to those rights of Cherokee blood to which she is entitled. She is now a resident of Delaware District, C. N.

Respectfully,
Lucy Fleetwood,
per attorney, R. C. Boudinot.

Com. On Citizenship.
Tahlequah, Cher. Nat.,
Sep 19, 1883.
Lucy Fleetwood,)
vs. :
Cherokee Nation.)

Judge Chas. Wickliff, introduced and sworn, testifies as follows: I am acquainted with Lucy Fleetwood, the claimant. I first knew her in North Carolina. I went to school together there. The school we went to was the Valley Town Mission. I knew her father, Hosa Morgan. Knew her mother, Awee. Hosa Morgan's Cherokee name was Guneer (Buffalo). He left North Carolina in 1835 and came to Calhoun. He had three boys and five girls, eight children in all. The Morgan family was called Cherokee by some people and Catawba by others. Awee, or Annie, talked Cherokee a little. No one at that time disputed that they were Cherokees. They lived in the Cherokee Nation and owned an improvement. I live in Saline district. My age is 64 years.

Cross-examination.

The school, Valley Town Mission, where I and Lucy Fleetwood went, was entirely of Cherokee children. I do not know where Hosa Morgan or his wife got their Cherokee blood. It is on account of her looks and general appearance I judge the claimant ot be Cherokee Her father, Hosa Morgan, had long hair and looked like a full Cherokee. His hair was straight and did not look like it was mixed with anything. Awee, wife of Hosa Morgan, had curly hair somewhat like it was mixed. They did not came at the time of the general emigration They came to this country in 1834. After they came, I saw Lucy, the claimant, several times. They lived in Delaware District.

Charles Wickliff.

Sworn to and subscribed before me this Sep 15, 1884.
John L. Adair,
Clk. Com.

OFFICE COMMISSION ON CITIZENSHIP.
Tahlequah, Cher. Na.,
September 15, 1884.

LUCY FLEETWOOD,)
vs, ;
CHEROKEE NATION,)

Andrew Young, on part of the nation, introduced and sworn, testifies as follows: I live in Sequoyah District. I am over thrity years old. I am a member of the Commission on Citizenship. I do not know anything about Lucy Fleetwood, the claimant. I am acquainted with Ba Fleetwood and Jerry. They are of the same family.

his
Andrew X Young.
mark.

Sworn to and subscribed this Sep 15 1884.
John L. Adair,
Clk. Com.

OFFICE OF COMMISSION ON CITIZENSHIP.
TAHLEQUAH, CHEROKEE NATION, Sep 19, 1884.

No. 184.
LUCY FLEETWOOD,)
vs.
THE CHEROKEE NATION.)

Nancy Starr, for claimant, produced in open court, sworn, testifies as follows: My name is Nancy Starr; am a Cherokee by blood; live within the Cherokee Nation; and am about 68 years of age.

-30-

I am acquainted with the applicant. I lived neighbor to her in the Old Nation. She is a Cherokee by blood. Her mother was an Indian. She was my aunt. She was my fiather's sister. My father's name was Wah-ohee-sah, and died at Coo-ta-nah-lah. I was acquainted with Lucy's mother. Her name was Awee-a very old woman. Awee's husband's name was Yonsie. Lucy and I came to this country together. Awee, the mother of claimant, was a full blooded Cherokee woman.

By Solicitor.

The claimant and I lived just abo ut a mile from each other in the Old Nation. Claimant came to this country with the emigration. I and the claimant came to this country in Wofford's detachment. I don't whether Lucy's husband came to this country with her, and I don't know what family she came with. I suppose Lucy was married, for she had grand-children, but I don't know who the father of her children is. Lucy came on behind me when I came to this country.

By Claimant.

Lucy was an old women when she came to this country, but I don't know how old she was. I don't know how old I was when I came to this cou try. I had two children. The father of my children was named Cah-tah-wee. He died up near Maysville.

her
Nancy X Starr.
mark.

OFFICE OF COMMISSION ON CITIZENSHIP.

Tahlequah, Cherokee Nation, Sept 21st, 1883.

LUCY FLEETWOOD,)
vs/ :
THE CHEROKEE NATION.)

Moses Ward introduced for the Nation, sworn in open court, testifies as follows: My name is Moses Ward. Am a Cherokee. Reside in the Cherokee. My age is 66 years. I am acquainted with the claimant, Lucy Fleetwood. I have known her ten or twelve years, but I have known of her about forty years. I don't know that she is a Cherokee by blood. She has never been called a Cherokee. She hasbeen claiming to be a Cherokee for the last few years. The first I knew of the Fleetwood family- about 40 years ago they came into Batties Prairie there and stopped at Willy Wilson's, and he got a permit for them. Mr. Wilson and his son were talking together. I heard them say that they got a permit for them (the Fleetwood's) to live in the Nation. I don't know as I know anything more about it.

By the Solicitor.

They were considered and called by the prople- some said they were Catabas- some said they were negroes, but I don't ever recollect ever hearing them called whites or Cherokees. She looks pretty dark. She is a dark-skinned somebody. She is no white person. Her hair, however, is long and straight.

By Claimant.

I did not mean to say she was not a Cherokee for I don't know what she is. I don't know upon what grounds they called them Catabas or negroes. I am not acquainted with old Nancy Starr. I know that the Fleetwood's have voted once at least; and I have known them to be refused the right to vote. I have known Quilla Fleetwood to be refused the right to vote on the ground that he was not a citizen. This was within some 3 or 4 years ago, as well as I can recollect. I don't know whether Miles Fleetwood voted that election.

I was judge of the election when Quilla was rejected. I challenged him and there was no other objection, Ed, Voted. Ed. was living with a Cherokee woman. I don't know of my own knowledge that the Fleetwood's did not draw their bread-money, but it was my understanding that they did not draw. It was last night that I heard Billy Wilson and his son talking about it. Then I heard them say that Billy Wilson got a permit for the Fleetwood's. I don't know that Quilla and Ed. ever voted after Quilla was refused. Of my own personal knowledge, I don't know whether Mrs Fleetwood is a Cherokee or not. I don't know what her blood is. All I know about it is it is neighborhood talk. I don't know that her right to Cherokee Citizenship has ever been questioned before any tribunal competent to try the question. It was in Delaware District that I heard them called Catabes. I can't mention names of the persons who said they were Catabas.

Moses Ward.

---oooOOOooo---

EXECUTIVE DEPARTMENT.

CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the great Seal of said Cherokee Nation, at Tahlequah, this, the 5th day of Oct. 1896.

(Signed) John L. Adair.
Executive Secretary.

(SEAL)

---oooOOOooo---

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of the application of Kilberry Fleetwood, Martha W. Brown, Stephen D. C. Edwards Lafayette Teal, et als., for citizenship in the Cherokee Nation.

Nation's No. .....

Commission's No. .....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Hosea Morgan through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, West to the Indian Territory as at present located and defined; that his

name does not appear on any of the authenticated rolls of said Nation; that neither any of her ancestors has resided, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicants made application before a legally constituted Court, or Commission on Citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said cases were tried upon their merits; that upon a final hearing, judgements were duly given against the applicants and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgements are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief
Cherokee Nation.

By Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.
(Signed) John L. Adair.

Subscribed and sworn to before me this, the 3 day of Oct. 1896.
(SEAL) (Signed) D. J. Ball,
Notary Public.

Endorsements: Nation's No. 4201.
Commission's No.....

In re Application of Elberry Fleetwood, et als.

DEMURRER AND ANSWER.

Filed Feb. 26 1897.
Jas. A. Winston.

Filed Oct 21,
H. M. Jacoway, Sec."

6c

(The following is the decision and record of the Commission to the Five Civilized Tribes as found on page 443, Docket "B.")

5572.
Eljerry Fleetwood, et al.)
v. :
Cherokee Nation.)

Fort Smith Arkansas,
December 24, 1896.

Appealed.

Filed Sept. 7th, 1895. Answer filed. Application of W. C. Brown, Jerry Ward, Mrs. Eljerry Fleetwood, Mrs. S. E. C. Edwards, and John Boswell, citizens by adoption, and Lafayett Teel, Stephen E. C. Edwards, Lucy Teel Vincup, Jimmy Fleetwood, Anzonci Fleetwood, Rexie Fleetwood, Minnie Fleetwood, J. C. Johnson Fleetwood, Eddie Fleetwood, Martha Brown, Carrie Brown, Carrie Brown, Wm. D. Brown, Lula J. Brown, Martha Brown, Myrtle Brown, Grover Brown, Lottie Brown, Samuel Meeks, Willie Meeks, Sarah Fleetwood Ward, Andrew Palmore, Susan Palmore, Grover Clowland Ward, Jerry Ward, Henry Ward, Zelma Fleetwood, Willie Fleetwood, Lawence Fleetwood, July Fleetwood, Zelma Edwards, Stephen Edwards, Nunc Edwards, Minerva J. Teel Boswell, Calvin A. Teel, Wm. L. Teel, John E. Teel, Nannie Teel, Eljerry Fleetwood, and Prura Johnson citizens by blood; all admitted.

See page 444. Court No. 252.

Appealed.

Con Carlos and Standfield, Vinita I. T.

-----oooooOooooo-----

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,

NORTHERN DISTRICT AT MUSKOGEE.

Cherokee Nation, Appellant.

vs

Eljerry Fleetwood, et als., Appellee.

PETITION FOR APPEAL AND ASSIGNMENT OF ERRORS.

Now comes the Cherokee Nation by its attorneys and most respectfully represents to this Court that under an Act approved June 10th, 1896, the appellants containing the following named number of persons:

Eljerry Fleetwood,
Sarah Ward,
LaFayette Teel,
Samuel Meeks,
Susan Palmore,
.....Ward
Johnnie Fleetwood,
Lizzie Fleetwood,
Zelma Fleetwood,
Luvena Fleetwood,
Cassie Brown,
Loolie I. Brown,
Myrtle Brown,
Lottie Brown,
Stephen Edwards,

Minerva J. Boswell,
William LaFayette Teel,
Jennie Teel,

Stephen D. C. Edwards,
Martha W. Brown,
Willie Meeks,
Andrew Palmore,
Grover Cleveland Ward,
.....Ward,
Roxie Fleetwood,
Arizona Fleetwood,
Willie Fleetwood,
Juley Fleetwood,
William D. Brown,
Martha Brown,
Grover Brown,
Zelma Edwards,
Emma Edwards,

Carrie Ann Teel,
John Hugh Teel,

made their application before the Honorable Dawes Commission as provided in said Act for enrollment as Cherokee citizens; that said case came on for hearing before said Commission upon the petition and affidavits of the appellees, and the answer and affidavits of the appellant, and on the 24 day of Novem ber 1896, the aforesaid appellees were duly decided to be Cherokee citizens, and entitled to enrollment as such.

Wherefore said Cherokee Nation prays an appeal from the finding and decision of said Honorable Commission to this Honorable Court, requiring all papers, records and proceedings in said case may be sent up to this Court, their No. being No. 5565.

Your petitioner fusther says that the decision and judgment of said Commission is erroneous in this case, to-wit:

1st. Because said Commission was without jurisdiction to hear and determine said case and to admit persons to citizenship in the Cherokee Nation.

2nd. Because said decision and judgment was contrary to law.

3rd. Because said judgement and decision was contrary to the evidence.

_____

_____

_____

Attorneys for Appellants

Indorsements:

No. 252. Cherokee Nation vs Eljerry Fleetwood, et als.

Petition for appeal." Filed Jan 20 1897.
Jas. A. Winston,
Clerk.

---oooOOOooo---

In the United States Court within and for the Northern District of the Indian Territory.

Eljerry Fleetwood, et al.
vs.
The Cherokee Nation.

Come now the plaintiffs in the above case and move to dismiss the appeal therein for the reasons:

1st. That it appears of record in said case that the same was filed on the 9th day of Sept. 1896 and that the Cherokee Nation did

not file its answer within the thirty days allowed, but is in default, and plaintiffs are therefore entitled t o judgement by default2nd. That there is not proper application for appeal therein, the same not being signed or sworn to.

Therefore plaintiffs pray that the appeal herein be dismissed and was filed out of time.

(Signed) Don-Carlos & Stanfield,
Attorneys for Plaintiffs.

Indorsements: Eljerry Fleetwood, et al.
vs.
The Cherokee Nation.

Motion to dismiss the appeal.

Filed Sep. 8, 1897.
Jas. A. Winston,
Clerk.

Don-Carlos & Stanfield,
Attys.

Received of H. L. Jacoway, Jr., Secretary to the Commission to the Five Civilized Tribes, the original papers, in the cause of .....vs. ....., Nation, as follows:

Witness my hand and official seal at Muscogee this the 26 day of Feby. 1897.

(Signed) J. L. Winston,
Clk.

Indorsements:

Court No. 252.
No. 5572.
R E C E I P T.
For original papers in the case of
Eljerry Fleetwood, et al.,
vs.
Cherokee Nation.

Received and filed this ..... day of ..... 189.

Secretary.

IN THE UNITED STATES IN THE INDIAN TERRITORY,
SOUTHERN DISTRICT, AT MUSKOGEE.

CHEROKEE NATION)
vs.) Report of special master.
[illegible] FLEETWOOD ET AL.)

I, [illegible], Special master herein, respectfully report to the Court that under the order of reference in this cause dated [illegible]

made by the Court, I have examined the proof and pleadings herein filed, and made a part of this report, and that I find as follows:

I

That this application was filed on September 7, 1896, before the Commission to the Five Civilized Tribes by the following named parties: Elijerry Fleetwood, Sarah Ward, Lafayette Teel, Samuel Meeks, Stephen D. C. Edwards, Martha W. Brown, Willie Meeks, Andrew Palmore, Susan Palmore, Grover C. Ward, ____ Ward, ____ Ward, Johnie Fleetwood, Roxie Fleetwood, Minnie Fleetwood, Arizona Fleetwood, Zelma Fleetwood, Willie Fleetwood, Luvena Fleetwood, Juley Fleetwood, Cassie Brown, Wm. D. Brown, Loolie I. Brown, Martha Brown, Myrtle Brown, Grover Brown, Lottie Brown, Zelma Edwards, Stephen Edwards, Emma Edwards, Minerva Jane Boswell, Carrie Ann Teel, Wm. Lafayette Teel, John Hugh Teel and Fannie Teel,-all of whom are residents of the Cherokee Nation, Indian Territory, and who are the children, grand-children, and great-grand-children of Lucinda Fleetwood, who was the daughter of Hosea Morgan, Sr., who is said to have been a Cherokee Indian by blood, who emigrated to the present Cherokee Nation from the State of Georgia in the year 1834.

That the parties file in support of their application a very large number of affidavits and other written testimony, also letters of administration granted to Lucinda Fleetwood upon the estate of Charles Fleetwood by the Cherokee Judge of Delaware District; a marriage license issued to E. P. Palmore, a United States citizen, authorizing him to marry Srah Fleetwood in 1874, under the Cherokee laws, a copy of the jury venire of Delaware District, including the name of Lafayeette Teel; also a certificate from the Interior Department showing that Hosea Morgan, Sr., in January 1834 agreed to emmigrate to the present Cherokee Nation, and to surrender his land in the old Cherokee Nation east of the Mississippi river; and also a certificate from the Interior Department showing that Hosea Morgan's improvement was appraised; and also a certified copy of the roll of 484 Cherokee Indians who emmigrated from Georgia to the present Cherokee Nation in 1834, which includes the name of Hosea Morgan, Sr.

II

That the Cherokee Nation filed before said Commission its demurrer and answer on October 21, 1895, and also filed a copy of the proceedings before the Cherokee Commission on Citizenship in 1888, in which proceeding Martha W. Brown et al and Lafayette Teel and others were by that Commission declared not to be citizens of The Cherokee Nation; and also a certificate showing that Lucy Fleetwood made application for citizenship to the Spears Commission in 1883, and was by said Commission rejected.

III

That on November 24, 1896, the commission to the Five Tribes admitted the petitioners to citizenship in the Cherokee Nation, from which decision the Cherokee Nation appealed to this Court on Jan. 20, 1897. That on September 8, 1897, the petitioners filed a motion to dismiss the appeal herein for reasons therein shown.

IV

That I find that the appellees are Cherokee Indians by blood and are residents of the Cherokee Nation, Indian Territory, and that they are the descendants of Hosea Morgan, Sr., who emigrated from the State of Georgia to the present Cherokee Nation in 1834, and who was at the time a recognized citizen of the Cherokee Nation.

-4-

That the family has lived in the Cherokee Nation ever since that time, and the members have been recognized as Cherokee Indians ever since, thojugh there is no proof to show that they have ever been enrolled since reaching the Cherokee Nation, Indian Territory,

That the authorities of the Cherokee Nation have in numerous instances recognized these appellees as citizens of the Cherokee Nation, but that the proof shows that Lafayette Teel, Minerva Teel, Carrie A. Teel, Wm. L. Teel, Martha W. Brown, Cassee Brown, Wm. D. Brown, Lula J. Brown, Martha Brown, and Lucy Fleetwood were rejected by Cherokee Citizenship Commissions in 1883 and 1888, as above set out. That S. D. C. Edwards swears that at the time of the decision in the Teel & Brown cases, the application and evidence had been withdrawn to be used in the trial of Lafayette Teel for murder at Ft. Smith.

Respectfully submitted this 10th day of November, 1899.

(Signed) N. A. Gibson,
Special Master.

Indorsements:

252.
Cherokee Nation v Eljerry Fleetwood, et al.

Report of Special.

Filed Nov. 10/ 1899.

Jas. A. Winston,
Clerk.

---oooOOOooo---

(The two following documents are found among the papers in this case inclosed in an envelope addressed to "Messrs. Don Carlos & Stanfield, Vinita, Indian Territory.")

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

Fort Gibson, Indian Territory, July 24, 1897.

Messrs. Don Carlos & Stanfield,
Vinita, Indian Territory

Sirs:-

I have the honor to acknowledge the receipt of your communication of July 22nd, relative to the certified copy in the Eljerry Fleetwood et al. vs. Cherokee Nation case. The matter had not slipped my mind, but I have been too busy to attend to the matter. On the receipt of your letter I pulled away from other business to get this matter to you on to-day's mail. Please explain this matter to the Attorney for the Nation, and have him to consent that it shall be used in lieu of the one filed with the papers when the appeal was taken.

Very respectfully,
H. M. Jacoway,
Sec'y.

---o---

Commissioners.
Henry L. Dawes.
Frank C. Armstrong.
Archibald S. McKennon.
Thomas F. Cabaniss.
Alexander B. Montgomery.
H. M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Fort Smith, Arkansas, November 24, 1896.

Eljerry Fleetwood, et al.,)
vs. :
Cherokee Nation.)

Filed Sept. 7, 1896, Answer filed, Application of W. C. Brown, Jerry Ward, Mrs. Eljerry Fleetwood, Mrs. S. D. C. Edwards and John Boswell, citizens by adoption, and Lafayette Teel, Stephen D. C. Edwards, Lucy Teel Tincup, Johnny Fleetwood, Anzonei Fleetwood, Bonie Fleetwood, Minerva Fleetwood, J. C. Johnson Fleetwood, Eddie Fleetwood, Martha Brown, Carrie Brown, Wm. D. Brown, Lula J. Brown, Martha Brown, Myrtle Brown, Grover Brown, Lottie Brown, Samuel Meeks, Willie Meeks, Sarah Fleetwood Ward, Andrew Palmore, Susan Palmore, Grover Cleveland Ward, Jerry Ward, Henry Ward, Zelma Fleetwood, Willie Fleetwood, Lawrence Fleetwood, July Fleetwood, Zelma Edwards, Stephen Edwards, Emma Edwards, Minerva J. Teel Boswell, Calvin A. Teel, Wm. J. Teel, John H. Teel, Nannie Teel, Eljerry Fleetwood, & Prura Johnson, citizens by blood, all admitted.

H. H. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record B. page 443 of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this the 24 day of July, 1897.

(Signed) H. H. Jacoway, Jr.,
Secretary.

The above certified copy of the record is substituted in lieu of the one sent to the Court when appeal was taken, for the reason that in the former copy the words "all admitted," were left out.

(Signed) H. H. Jacoway, Jr.,
Secretary.

---ooo000ooo---

(The following record is found in Docket "B" page 444 of the records of the Commission to the Five Civilized Tribes:)

Dawes No. 5572. Court No. 252.

Eljerry Fleetwood, et al.,)
vs. :
Cherokee Nation.)

By judgment of U. S. Court of Nov. 10th, 1899, the following persons were declared entitled to citizenship in the Cherokee Nation.

Eljerry Fleetwood,
LaFayette Teel,
Zelma Fleetwood,
Lenora Fleetwood,
Cassie Brown,
Sophia J. Brown,
Myrtle Brown,
Lottie Brown,
Stephen Edwards,
Minerva J. Boswell,
Wm. Lafayette Teel,
Nannie Teel,
Stephen D. C. Edwards,
Martha W. Brown,
Willie Meeks,
William Fleetwood,
July Fleetwood,
Wm. D. Brown,
Martha Brown,
Grover Brown,
Zelma Edwards,
Emma Edwards,
Cassie Ann Teel,
John Hugh Teel.

By the same judgment citizenship was denied the following persons

Sarah Ward,
Sam'l Meeks,
Susan Palmore,
.....Ward,
Johnny Fleetwood,
Minnie Fleetwood.

Andrew Palmore,
Grover Cleveland Ward,
...../Ward.
Roxie Fleetwood,
Arizona Fleetwood,

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing transcript of the papers and records in the matter of the application of Eljerry Fleetwood, et al., for admission to citizenship before the Commission to the Five Civilized Tribes in the year 1896, and that the above and foregoing is a true and complete copy of all the papers and records in said case on file with this Commission.

J. O. Rosson

Subscribed and sworn to before me this February 18, 1902.

Commissioner.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, July 16th, 1902.

In the matter of the application of Nora Webster for the enrollment of herself and child, Sallie J. Webster, as citizens by blood of the Cherokee nation.

Supplemental to D-1269

Appearances:

D. M. Wisdom appears for Applicant.
W. W. Hastings for Cherokee Nation.

ANDREW RUSSELL, being duly sworn, testified as follows:—

Examination by Mr. Wisdom.

Q. What is your name? A. Andrew Russell. Judge A. Russell.
Q. How old are you, Mr. Russell? A. About 57.
Q. Where do you live? A. Live at Gans, Indian Territory.
Q. What district? A. Sequoyah district.
Q. Cherokee nation? A. Cherokee nation.
Q. Are you a recognized citizen of the Cherokee nation by blood?
A. Yes, sir.
Q. Do you know Edmond Fleetwood? A. Yes, sir.
Q. Did you know his wife Josie Anderson? A. Yes, sir; a former wife. A wife before his present wife he has got now.
Q. How long have you known him? A. 30 years.
Q. Were they recognized as man and wife? A. Yes, passed to be.
Q. Did he hold her out to the world as such? A. Yes, introduced her to me as his wife at his house, the first time ay ever saw her.

Examination by the Commission.

Q. Did they have any children? A. Yes, sir; had one child, a little girl. She wasn't walking when I saw them.
Q. Do you know the name of the child? A. No, sir.

SARAH F. WARD, being duly sworn, testified as follows:—

Examination by Mr. Wisdom.

Q. What is your name? A. Sarah F. Ward.
Q. How old are you, Mrs. Ward. A. I am 50 years old.
Q. Where do you live? A. Bonanza.
Q. Are you a Cherokee Indian by blood? A. Yes, sir.
Q. What relation are you to Edmond Fleetwood? A. He is a brother of mine.
Q. He is your brother? A. Yes, sir.
Q. Do you know of his living with this woman? A. I know they were living together, I got letter from them while they were living together.
Q. You know that these letters contained a recognition of their marriage? A. Yes, sir; she has written to me that they were married.
Q.

Examination by the Commission.

Q. Was this his first wife? A. Second. His first wife was a full blood Cherokee.
Q. What was his second wife's name? A. Josephine Overstreet was her name before he married her.
Q. Do you know whether they had any children? A. Yes, sir, there was one.
Q. Do you know what the child's name is now? A. Nora Webster. Nora Ann Webster.

James O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this cause, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

James O. Carr

Subscribed and sworn to before me this 18 day of July, 1902.

Notary Public.

20

IN RE

Application for Enrollment of

INFANT CHILD

John Hamilton Webster

as a citizen of

Cherokee Nation.

Approved Oct 31 1903

C. R. Breckinridge.

Commissioner.

4/1906 Held pending decision

Commission to the
RECEIVED
OCT 31 1903

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of John Hamilton Webster (Here insert name of child.) born on the 23 day of August, 1902
Name of Father: Harris B Webster, a citizen of the ~~Cherokee~~ Nation.
Name of Mother: Nora A Webster, an applicant for enrollment as a citizen of the Cherokee Nation.
Post-office Sulphur Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Nora A Webster, on oath state that I am 19 years of age and an applicant for enrollment as a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Harris B Webster, who is a citizen, by ~~Blood~~, of the ~~Cherokee~~ Nation; that a male (male or female) child was born to me on 23 day of August 1902 that said child has been named John Hamilton Webster, and is now living.

WITNESS TO MARK. Nora A Webster
(Where the Two Witnesses)

Subscribed and sworn to before me this 13 day of September 1902
T. Carter
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, A V Ponder, a Physician, on oath state that I attended on Mrs. Nora A Webster, wife of Harris B Webster on the 23 day of August 1902; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named John Hamilton Webster.

WITNESS TO MARK
(Where no Two Witnesses)

Subscribed and sworn to before me this 13 day of September 1902
T. Carter
NOTARY PUBLIC

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Edmund Fleetwood, et al, as citizens by blood of the Cherokee Nation, consolidating the applications of,

Edmund Fleetwood, et al. .....Cherokee D 1193

Nora A. Webster, et al. .....Cherokee D 1269

D E C I S I O N.

---oOo---

The record in these cases shows that the following named persons appeared before the Commission at the places hereinafter designated and made application for the enrollment of the following named applicants as Cherokee citizens.

On August 7, 1900, Edmund Fleetwood appeared before the Commission at Sallisaw, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muldrow, Indian Territory, on August 13, 1900, and at Muskogee, Indian Territory, on January 23, 1902, and February 10, 1902. The other parties to the application are differently classified and are not embraced in this decision.

On December 11, 1900, Harris B. Webster appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on January 14, 1902, January 23, 1902, February 10, 1902, and July 16, 1902.

The evidence shows that on September 7, 1896, Kljerry Fleetwood, et al., filed their application before the Commission to the Five Civilized Tribes for admission to citizenship in the Cherokee Nation, under the Act of Congress, June 10, 1896 (29 Stats., 321). The applicant, Edmund Fleetwood, does not appear to have been embraced in that application. The Docket entry of the Commission disposing of the case of Kljerry Fleetwood, et al., admitted all those for whom application was made, and included the name of Eddie Fleetwood. The applicant, Edmund Fleetwood, claims that the Eddie Fleetwood mentioned in said Docket entry was intended for him; that he was embraced in the application of Kljerry Fleetwood, et al, and that he was admitted to citizenship in the Cherokee Nation by the Commission on November 24, 1896, under the name of Eddie Fleetwood. It further appears that an appeal was taken from the decision of the Commission in the case of Kljerry Fleetwood, et al, to the United States Court in Indian Territory, Northern District, but it does not appear that Eddie Fleetwood or Edmund Fleetwood was included in that appeal or in any proceedings in the said Court concerning the said case. It is not clearly shown that the Eddie Fleetwood, who appears by the Docket entry of the Commission to have been admitted to citizenship on November 24, 1896, is the applicant herein. It is not shown how Eddie Fleetwood became a party to the said case before the Commission, of Kljerry Fleetwood, et al.

The evidence further shows that the said Edmund Fleetwood is a Cherokee by blood, his mother being a full blood Cherokee ; that the said Nora A. Webster is the child of the said Edmund Fleetwood, and upon an examination of the Pay rolls of the Cherokee Nation of the year 1883, it appears that the said Edmund Fleetwood and Nora A. Webster are identified on that roll as native Cherokees, the latter under the name of Nora Fleetwood, and the said Edmund Fleetwood is also identified on the 1890 Pay roll of the Cherokee Nation as a native Cherokee.

Sallie J. Webster is shown, by the evidence, to be the minor child of the said Nora A. Webster.

The evidence further shows that the said Edmund Fleetwood has resided in the Cherokee Nation all his life; that he was a resident of said Nation at the date of the application herein; that the said Nora A. Webster resided in the Cherokee Nation all her life up to about three years next before the application for her enrollment, and that during said three years she has resided in the Chickasaw Nation. It is considered that the residence of the minor child, Sallie J. Webster, since her birth, has been that of her mother.

It is, therefore, the opinion of this Commission that Edmund Fleetwood, Nora A. Webster and Sallie J. Webster should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Bixby.
Acting Chairman.

(SIGNED) T. B. Needles
Commissioner.

(SIGNED) C. R. Breckinridge
Commissioner.

Dated at Muskogee, Indian Territory,

this Dec. 1, 1902.

INDEXED.

COMMISSION TO FIVE TRIBES.

No.	Received	ANSWERED Book	Page
1070			
1900			

Webster, Harris 13
Sulphur, I.T.
Dec. 17 1900
CHICKASAW

Minute case referred to Atty of Int, and as Wm. Edmund Hectmond is enrolled as a Cherokee citizen can this not appear again for enrollment

D 1264

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1901

ACTING CHAIRMAN

In reply refer to
Cherokee D 1269.

Muskogee, Indian Territory, June 17, 1902.

Harris D. Webster, Esq.,

Sulphur, Indian Territory.

Sir:-

In the matter of your application for the enrollment of your wife, Nora A. Webster, and your daughter, Sallie J. Webster, as citizens by blood of the Cherokee Nation, you are advised that it is necessary, for the proper consideration of these cases, that you submit to this Commission additional testimony, to-wit: a certified copy of the marriage license of your father-in-law, Edmond Fleetwood, together with the certificate of his marriage to your wife's mother, Josephine.

This testimony must be furnished on or before July 1st, 1902.

Yours truly,

Commissioner in Charge.

Register.

10 days additional time granted personally

Cherokee D-1288.

Muskogee, Indian Territory, September 20, 1902.

Harris D. Webster,

Sulphur, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of September 13, enclosing corrected birth affidavit in the matter of the application for the enrollment as a citizen of the Cherokee Nation of John Hamilton Webster, infant child of yourself and Nora A. Webster.

The same is in due form and has been filed.

Yours truly,

Acting Chairman.

Cherokee D 1269.
Cherokee D 1193.

Muskogee, Indian Territory, December 2, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1903, granting the application of Edmund Fleetwood for the enrollment of himself, and the application of Harris B. Webster for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in these cases, copies of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enclosure H. No. 4.

CO.

Cherokee D-1269.

Muskogee, Indian Territory, December 30, 1908.

Harris B. Webster,

Sulphur, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the record of proceedings had in the matter of your application for the enrollment of your wife, Nora A. Webster, and your minor child, Sallie J. Webster, as citizens by blood of the Cherokee Nation, together with a copy of the Commissioner's decision, dated December 1, 1908, granting, among others, your said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the Attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Enc. D-1269.

Commissioner in Charge.

Register.

Cherokee D-1929.
Cherokee D-1956.

Muskogee, Indian Territory, December 20, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision, dated December 1, 1902, granting the application of Harris B. Webster for the enrollment of his wife, Dora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood, and the application of Edmund Fleetwood for the enrollment of himself as a citizen by blood of the Cherokee Nation, a copy of which decision was furnished you on December 2, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Enc. 2

COPY.

Cherokee D-1269.
Cherokee D-1283.

Muskogee, Indian Territory, December 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Nora A. Webster, et al, embracing the application of Harris B. Webster for the enrollment of his wife, Nora A. Webster, and his minor child, Sallie J. Webster, as citizens by blood, and the application of Edmund Fleetwood for the enrollment of himself as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated December 1, 1902, granting said applications.

You are advised that the Cherokee Nation protests against the action of the Commission in these cases, a copy of which protest is inclosed.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Enc. E-406.

Refer to reply to (Copy)
this following:
Land
70572--1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, Feb. 2, 1903.

The Honorable
The Secretary of the Interior.

Sir:

There is herewith transmitted the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Edmund Fleetwood, et al., for enrollment as Cherokee citizens. The record shows that the parties included in said application other than the said Edmund Fleetwood are differently classified and are not embraced in the decision of the Commission rendered December 1, 1902, which decision is confined to the case of the said Edmund Fleetwood so far as said application is concerned.

The Commission finds in its decision that the evidence shows that on September 7, 1896, Elijerry Fleetwood, et al., filed their application before the Commission for admission to citizenship in the Cherokee Nation under the Act of Congress of June 10, 1896 (29 Stats.,321); that the applicant, Edmund Fleetwood, does not appear to have been embraced in that application; that the docket entry of the Commission disposing of the case of Elijerry Fleetwood, et al., admitted all those for whom application was made and included the name of Eddie Fleetwood; that the applicant Edmund Fleetwood claims that the Eddie Fleetwood mentioned in said docket

entry was intended for him; that he was embraced in the application of Kijerry Fleetwood, et al., and was admitted to citizenship in the Cherokee Nation by the Commission on November 24, 1896, under the name of Eddie Fleetwood; that it further appears that an appeal was taken from this decision of the Commission in the case of Kijerry Fleetwood, et al., to the United States Court in Indian Territory, Northern District, but it does not appear that Eddie Fleetwood or Edmund Fleetwood was included in that appeal or in any proceedings in the said court concerning the said case; that it is not clearly shown that the Eddie Fleetwood, who appears by the docket entry of the Commission to have been admitted to citizenship on November 24, 1896, is the applicant herein; that it is not shown how Eddie Fleetwood became a party to the said case before the Commission of Kijerry Fleetwood, et al.; that the evidence further shows that the said Edmund Fleetwood is a Cherokee by blood, his mother being a full-blood Cherokee ; that it appears that the said Edmund Fleetwood is identified on the Cherokee payroll of 1880 as a native Cherokee, that he is also identified on the 1890 payroll of the Cherokee Nation as a native Cherokee ; that he has resided in the Cherokee Nation all his life; and that he was a resident of said Nation at the date of the application herein.

By reason of the premises the Commission held in said decision that the said Edmund Fleetwood should be enrolled

as a citizen by blood of the Cherokee Nation in accordance with the provisions of section 21 of the Act of Congress approved June 28, 1898 (30 Stats.,495).

It further appears from said decision of the Commission that on December 11, 1900, Harris B. Webster appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of his wife Nora A. Webster and his minor child Sallie J. Webster, as citizens by blood of the Cherokee Nation. The Commission further finds from the evidence that the said Nora Webster is a child of the said Edmund Fleetwood, and that she is identified on the Cherokee payroll of 1883 as a native Cherokee under the name of Nora Fleetwood; that she has resided in the Cherokee Nation all her life up to about three years next before the application for her enrollment, and that during said three years she resided in the Chickasaw Nation; that Sallie J. Webster is the minor child of said Nora A. Webster; and that the residence of said minor child has been that of her mother since her birth; by reason of which the Commission finds that the said Nora A. Webster and Sallie J. Webster should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of section 21 of the Act of Congress of June 28, 1898 (30 Stats.,495).

The Cherokee Nation has entered a protest, as shown by the record, against the enrollment of these parties as citizens thereof, and goes into a very lengthy argument in support

of such protest. The Nation sets out that at the time Edmund Fleetwood made his application before the Commission he claimed that he had always been a recognized citizen of the Cherokee Nation and made no claim whatever of having been admitted by the Commission to the Five Civilized Tribes in 1896. The office cannot see but what his claim was well founded inasmuch as he had received pay as a citizen of the Cherokee Nation as early as 1883. The Nation further cast some reflection on the claim of the applicant, Edmund Fleetwood, that he is the Eddie Fleetwood included among those admitted by the Dawes Commission, as shown by their docket, in 1896; but the evidence shows that there is no one by the name of Eddie Fleetwood in the Fleetwood family, and that Edmund Fleetwood was frequently designated "Ed" or "Eddie" Fleetwood by those who knew him; and the office can see no reason why, under these facts, the Commission should not have held that Eddie Fleetwood was used on its records as and for Edmund Fleetwood.

The Nation then goes into the matter of the appeal of the Eljerry Fleetwood case from the decision of the Commission to the United States Court, which does not show that the case of Eddie or Edmund Fleetwood was appealed.

The fact that his case was not appealed would not bring his application into question in said Court, and the decision of the Commission in his case would be final; and the office can see no ground upon which to disturb that finding of the

Commission at this time, and can see no ground upon which the Nation can successfully protest against the same.

The Nation complains that the said Edmund Fleetwood in no wise participated in making his application to the Commission in 1896, but if the testimony in that case brought out the fact that he was a member of the Fleetwood family and entitled to enrollment and his name placed upon the docket of the Commission, the Commission did no more than was its duty to do, and it was not obligatory upon the said Edmund Fleetwood to make application in his own behalf, but he had a perfect right to accept the judgment of the Commission and take advantage of the same when his name had been among others placed upon the docket.

The Nation further complains that the fact that the said Edmund Fleetwood's name is found upon the rolls of 1883 and 1886 is not conclusive as to his citizenship by blood for the reason that such rolls are unimportant. Attention is then called to the fact that the whole family of Fleetwoods was rejected by what is known as the Adair Court in 1888, including the mother of the present applicant.

The office cannot see that this earlier finding by the Adair Court can interfere with the rights established by the Commission in 1896.

The office considers that under the facts in this case, as shown by the record, the Commission had a perfect right to

consider the application of the said Edmund Fleetwood, and the application of Harris B. Webster in behalf of his wife Nora A. Webster and his minor child Hallie J. Webster, for the reason that the said Edmund Fleetwood's name appeared upon the Cherokee rolls together with that of his said daughter Nora Fleetwood, now Nora A. Webster, and having such right to so consider their applications, had the additional right of finding they were entitled to enrollment under the Act of Congress approved June 28, 1898 (30 Stats., 495).

The office does not believe, as alleged by the Nation in its protest, from the reading of section 21 of said Act of 1898, that the Commission is confined to the roll of 1880, but that it is its duty to investigate the claims of all persons found upon any other rolls, which they have done in this case.

The office is of the opinion that the finding of the Commission herein is in accordance with the evidence submitted on behalf of the applicants, and that its decision finding them entitled to enrollment as citizens of the Cherokee Nation by blood is correct, and should be affirmed by the Department.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

W.C.B.(S)

D.C.4331 J.P.

DEPARTMENT OF THE INTERIOR.

I.T.D. 1016-1903. Washington. February 10, 1903.

L.R.E.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 2, 1903, the Acting Commissioner of Indian Affairs submitted the papers in the case involving the application of Edmund Fleetwood for enrollment as a citizen of the Cherokee Nation, consolidated with the application of Nora A. Webster and Sallie J. Webster for enrollment as citizens of said Nation, transmitted with your letter of December 28, 1902, and recommended that your decision in favor of the applicants be concurred in.

It appears, as stated in your decision of December 1, 1902, that on September 7, 1896, Kijerry Fleetwood, et al., filed their application before your Commission for admission to citizenship in said Nation under the act of June 10, 1896 (29 Stat. 321); that the applicant Edmund Fleetwood does not appear to have been embraced in that application.

It also appears that the Docket entry of your Commission disposing of the case of Kijerry Fleetwood, et al., admitted all those for whom application was made, and included the name of Eddie Fleetwood. This applicant claims that the Eddie Fleetwood mentioned in said Docket entry was intended for him; that he was embraced in the application of Kijerry Fleetwood, et al., and that he was admitted to citizen-

ship in the Cherokee Nation on November 24, 1896, under the name of Eddie Fleetwood, by your Commission.

You state that it is not clearly shown that Eddie Fleetwood, who appears by the docket of the Commission to have been admitted to citizenship in 1896, is the present applicant; that it is not shown how Eddie Fleetwood became a party to said case before the Commission of Kljerry Fleetwood, et al.; that the evidence shows that Edmund Fleetwood is a Cherokee by blood, his mother being a full blood Cherokee: It is shown that said Nora A. Webster is the child of said Edmund Fleetwood and was a minor at the time of the action of November 24, 1896, and her name appears upon the pay roll of the Cherokee Nation for the year 1883.

It also appears that Edmund Fleetwood and said Nora A. Webster are identified on that roll as native Cherokees, and that said Edmund Fleetwood is also identified on the 1890 pay roll of the Cherokee Nation as a native Cherokee.

Sally J. Webster is the minor child of Nora A. Webster.

It appears that Edmund Fleetwood has resided in the Cherokee Nation all his life; was a resident of said Nation at the date of the application herein; that said Nora A. Webster resided in the Cherokee Nation all her life up to about three years next before her application for enrollment before your Commission, and that during said three years she has resided in the Chickasaw Nation.

You found that the parties should be enrolled as citizens by blood of said Nation in accordance with the provision of section 21 of the act of June 28, 1898 (30 Stat., 495).

The Nation protests, contending mainly, and at some length, that Edmund Fleetwood in no wise participated in making this application to the Commission in 1906.

The attorney for the Nation states that just how the name of Eddie Fleetwood ever got upon the Docket of your Commission will perhaps ever remain a mystery, although it is quite clear that the applicant Edmund Fleetwood in no wise participated in making this application, and he contends that Edmund Fleetwood was never recognized as a citizen of the Cherokee Nation; that he was not admitted by the Commission in 1906, and that the name of Eddie Fleetwood was a clerical error by the clerk who in haste wrote a great many names upon the docket from the papers before him and that no application was made for Edmund Fleetwood as provided by the act of June 10, 1906 (34 Stat.,231); that therefore your Commission acquired no jurisdiction whatever over his case in 1906.

The Acting Commissioner states that if the testimony in the case of Kijerry Fleetwood, et al., brought out the fact that Edmund Fleetwood was a member of the Fleetwood family and entitled to enrollment, and as his name was placed upon the docket of the Commission it was not obliga-

tory upon the said Edward Fleetwood to make application in his behalf; that he had a perfect right to accept the judgment of the Commission and to take advantage of the case when his name had been among others placed upon the docket; that he considered that the finding of the Commission is in accordance with the evidence submitted on behalf of the applicants, and that its decision finding them entitled to enrollment should be affirmed.

The Department finding no reason to disturb your decision it is hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Cherokee Roll

Muskogee, Indian Territory, February 20, 1903.

Nora A. Webster,

Sulphur, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting, among others, the application for the enrollment of yourself and your minor child, Sallie E. Webster, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 18, 1903.

Respectfully,

Tams Bixby

Acting Chairman.

COPY.

Cherokee
D-1193 & D-1266.

Muskogee, Indian Territory, February 20, 1903.

Edward Fleetwood,

Eucha, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application for the enrollment of yourself, Mary A. and Sallie J. Webster, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 10, 1903.

Respectfully,

Tams Bixby

Acting Chairman.

COPY.

Muskogee, Indian Territory, February 20, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 1, 1902, granting the application for the enrollment of Edmund Fleetwood and Zora A. and Sallie J. Webster, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, on February 10, 1903.

Respectfully,

Acting Chairman.

D1269
D1193 } set for Feb 10

Cher 10100

Thomas Brown

Trans. from D 317

Cher 10100

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 17th, 1900.

IN THE MATTER OF THE APPLICATION [illegible] FOR THE ENROLLMENT OF HERSELF, HER HUSBAND AND CHILDREN, AS CHEROKEE CITIZENS.

The said Mary Brown, being duly sworn, was examined by Commissioner T. B. Breckinridge and testified as follows:

Question. What is your full name, madam? A Mary Brown.

Q How old are you? A Fifty-eight.

Q In what district do you live? A Delaware.

Q What is your post office? A Ketchum.

Q Who is it you want to have put on the roll? My sons and myself and my husband.

Q Where is your husband? A He is here.

Q Do you apply for yourself as a Cherokee by blood? A Yes, sir.

Q Is your husband a Cherokee by blood? A No, sir.

Q How long have you lived in the Cherokee Nation? A All my life.

Q When did you marry your present husband? A A I can't tell.

Q Can't you remember the time? A No, sir. My recollection is poor as I have got old.

Q Well, you married him about 1880, didn't you?

A I suppose that is it.

Q What was your name when you married him? A Farrell

Q Wasn't your name Brown before you married him, too? A That is what they called me; my name was Farrell at that time.

Q You were married under the name of Brown. A We were married in the States and then came back here and married in the Nation. We were first married in the States, and then we came here and married in the Nation as citizens.

Q Your maiden name was what? A Miller.

Q Then, you were married once before this marriage, were you?

A Yes, sir.

Q And the name of your husband was what? A My husband's name was Farrell.

Q When did you first marry your present husband, Mr. Brown, in the states? A About a year before the present marriage.

Q Well, are you on the roll of 1880? A Yes, sir.

Q What name did you have then? A Farrell.

Q What district were you in? A Delaware.

Q Now, you are on the roll of 1896 as a Brown?

A Yes, sir.

Q Have you made your home in the Cherokee Nation ever since 1880? A Yes, sir.

Q [illegible] you had to marry a husband in the states?

A [illegible]

Q [illegible]

A [illegible]

Q [illegible]

A [illegible]

Q [illegible]

Q How long [illegible] you stay out there at the time you were married? A Along about three or four days is all.
Q Well, that [illegible] very long? [illegible] sir.
Q Give me the name of your mother, please.
A Dave Miller.
Q Cherokee or white man? A White man.
Q Is he dead or alive? A He is dead.
Q How long since he died? A I couldn't tell you; I was a small child then.
Q What was your mother's name? A Ollie.
Q Cherokee or a white woman? A Cherokee.
Q Is she dead or alive? A She is dead. She died when I was a small child.

THOMAS BROWN, Point called and sworn by Commissioner C. F. Breckinridge, testified as follows:
Q Give your full name. A Thomas Brown.
How old are you? A I was born in 1863.
Q What is your post office? A Ketchum.
Q What is your district? A Delaware.
Q Are you the husband of this applicant here, Mary Brown? A Yes, sir.
Q You were married to her under the Cherokee law in 1899? A Yes, sir.
THE APPLICANT: (Mrs. Brown) I didn't give him any right. He was married before I saw him. We married on two Indians. You see there is no seal on that paper there. You give heres an Indian before that, and we were married on two Indians.
THE COMMISSIONER: The applicant presents a worn and partially destroyed Cherokee license and certificate. The preserved part states that a license is granted to Thomas Brown, a citizen of the United States to marry a citizen of the Cherokee Nation. It is issued by the Clerk of Illinois District on the 16th of July, 1894, and the certificate shows that he and his wife Katherine Cookmore married by the Clerk on the same date. These papers are filed herewith.
Q Now, Mr. Brown, you are on the roll of 1896? A I don't know. I expect so.
Q Your wife, Katherine Cook, was a Cherokee, was she? A Yes, sir.
Q She is dead, is she? A Yes, sir.
Q When did she die, as well as you remember? A I am not educated. I couldn't tell you. About seventeen or eighteen years ago or twenty years ago.
Q How long did you and she live together after you married her? A About two years.
Q When she died, did she? A [illegible] No, she separated I was on her place and she told me to get off, she wouldn't live with me any longer.
Q How long did she live after you separated? A Well, it was not long, sir. I couldn't just exactly tell you [illegible]
Q You lived with her two years and then [illegible] sir. And she a short time she died.
Q Then did you ever marry after that until you married your present wife? A No, sir.
Q [illegible] your present wife's name [illegible] A Mary Brown.

1880 Roll, page 259, No. 1065, Perry Perrill, Delaware District.
1880 Roll, page 221, No. 155, Thompson Brown, Delaware District.
1880 Roll, page 505, No. 163, Catherine Brown, Illinois District.
1880 Roll, page [illegible], No. 45, Thomas Brown, Delaware District.
1880 Roll, page [illegible], No. 345, Mary Brown, Delaware District.

(TESTIMONY OF MRS. MARY BROWN, continued)

[illegible] Henry Clinton Brown.
[illegible] fourteen years old.

[illegible] Roll, page 441, No. [illegible], Clinton Henry Brown, Delaware District.

Examination of Mrs. Brown by Mr. Joel L. [illegible], Representative of the Cherokee Nation.

Q How long did you live with your wife after you married her? A About two years.

Q Where did you go to after you separated from her? A I came to the railroad.

Q Then where did you go? A I married this woman.

Q Where did you marry this woman? A Right here. Out in the hills up at Coffeeville.

Q How long had you been living in the states at that time?

A I wasn't living there at all then sir. I just went up there

Q Did you leave your wife down yonder on the place? A Yes, sir.

Q Did you ever institute a divorce suit or a proceeding for a divorce? A No, sir.

Q Then, you married this woman without getting any divorce or anything? A Yes, sir.

Q And you moved out in the country and married her outside? A No, sir; I just went up there.

Q You had left the country before you married her? A I just went up there a day or two.

MR. MOTLEY (Counsel for Cherokee Nation) Where did you live in the intervening time, Mr. Brown, between the death of your wife and the marriage to this woman? A Right here in Vinita.

Q You always lived in the Indian Territory? A Yes, sir.

MR. MOTLEY: The applicant, Mrs. Mary Brown, is identified on the rolls of 1880 and 1896, as a native Cherokee. She has lived in the Cherokee Nation all her life. Her change of name is accounted for by her marriage, which is established by her own and her husband's testimony. She will be enlisted now for enrollment as a Cherokee by blood. Her husband Thomas Brown acquires no rights through the present marriage, as he presents only a certificate of marriage and no license was procured. As regards the Cherokee marriage, he makes his claim through a marriage to one Catherine Cook in the year 1860, and presents a Cherokee license and certificate to that effect. The same are filed herewith. According to his own testimony they lived together some two years and he then left her. She died shortly after that time. He apparently has continued his residence in the Cherokee Nation, and was married to his present wife in 1880. It seems highly probable that, from the testimony, he abandoned his original Cherokee life, and by that act lost his Cherokee rights. For the present judgment will be suspended in his case in order to give him further consideration and it will be carried on a doubtful card.

Q Mrs. Brown, whose child is this? A Mr. Brown's child.

Q Who is its mother? A It is my child.

Q You claim it as your own child? A Yes, sir; it is my child.

Q And is the child living at this time? A Yes, sir.

THE COMMISSIONER:

The child [illegible] identified with its mother on the roll of 1896. She claims it as her own child, born before her [illegible] marriage to [illegible], but it is enrolled by blood to her husband, and the child will now be enlisted for enrollment as a Cherokee by blood.

The undersigned, being duly sworn, states that [illegible] to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in the above application, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 24th day of September A. D. 1900.

[illegible]
Commissioner

D-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 17 1900

ACTING CHAIRMAN

DELAWARE

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 17 1900 1900.

Name [illegible]

District

Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother - citizenship

Intermarried citizen

Married under what law Date of marriage [illegible]

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother - citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

Cherokee D 317

Known that I by the authority in me vested by law do this day Grant the Said Thomas Brown a License to marry a Citizen of this Nation.

Given from under my hand and seal of office on this

(S E A L) 12th day of July 1880.

(signed) R. M. Walker Clk

Illinois District, C.N.

Oath as required by law administered this 12th July 1880

(signed) R. M. Walker Clk

(S E A L) Illinois District C.N.

This will certify that I have this day solemnized the rites of Matrimony between Thomas Brown a citizen of the U. S. and Catharine Cook a citizen of the Cherokee Nation, this 12th July 1880.

(signed) R. M. Walker Clk.

(S E A L)

Illinois District, C.N.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the original on file in this Commission.

Ester Mackey

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Vinita, Indian Territory, September 29th, 1900.

Received from the Commission to the Five Civilized Tribes one [illegible] of testimony in the matter of the application of Thomas [illegible] for enrollment as a citizen of the Cherokee Nation.

Atty for Applicant.

-2-

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T. October, 13th 1901.

SUPPLEMENTAL TESTIMONY in the matter of the application of Thomas Brown
CHEROKEE DOCKET NO. 6198, NUMBER -51-

Appearances:
Cale Starr for the Cherokee Nation, assisted by James S. Davenport.
Preston Davis attorney for the applicant.

Thomas Brown, the applicant, being first duly sworn before the Commission, testified as follows on his own behalf:

(By Mr. Davis)

Q State your name? A Thomas Brown.
Q How old are you? A About 48.
Q Where do you live? A On Grand river.
Q In the Cherokee Nation? A Yes sir.
Q How long have you lived in the Cherokee Nation? A 28 years I guess.
Q What was the name of your first wife? A Catherine Victoria Cook.
Q When were you married to her? A 23 or 4 years ago.
Q Have you filed your marriage license and certificate of your marriage to Catherine Victoria Cook with the Commission when you were before them the first time? A Yes sir.
Q How long did you live with this first wife? A About two years.
Q Where is she now? A Died right away after she quit me.
Q What was the cause of your separation? A She said she would not live with me any longer; she told me to get off the place, she wouldn't live with me any longer.
Q Who owned the place you were then living on? A My wife.
Q Did she own it before you married her? A Yes sir, it was her place that she got from a former husband.
Q Did you abandon her? A No sir, she quit me.
Q Did you give her any cause to quit you? A No sir.
Q What was her disposition, as to being quarrelsome or easy to get along with? A I couldn't get along with her, she owned the place and I had no home, that was her place.
Q Have you been recognized by the tribal authorities of the Cherokee Nation as a citizen? A Yes sir all the time.
Q Have you ever voted in the Cherokee elections? A All the time except this last time.
Q Have you ever received any license or permit from the Cherokee tribal authorities for any purpose? A Yes sir, boat license.
Q What business have you been engaged in? A Running a ferry boat on Bolin's Ferry.
Q What are these papers? (Handing witness papers) A Ferry license.
(By Mr. Davis: " We would like to offer these papers in evidence."
(By the Commission: " Same will be filed "
(By Mr. Davis: " I would like to offer the Cherokee law in the subject (of licenses and ferry business, taken from Sections 730 to 740 of (the Compiled Laws of the Cherokee Nation for 1892, Article 32."
(By Mr. Starr: " The Cherokee Nation objects to the introduction of (the license."
(By the Commission:" Objection will be noted a license ordered filed "
(By Mr. Davis of witness)
Q Who is your wife now? A Mary Brown.
Q Mary Brown and your children have been admitted to citizenship when they enrolled here last year? A Yes sir'
Q They are on the rolls? A Yes sir.
Q Mary Brown is a Cherokee by blood? A Yes sir.
Q You have some children by her? A Yes sir one little boy.

Q And you say they have been enrolled on a straight card? A Yes sir.

(By Mr. Starr)
Q Who owned the place that your first wife lived on when you married her? A It belonged to my first wife.
Q Did you leave that place when you left her? A She run me off.
Q And she remained in possession of that place? A Yes sir.
Q And kept it until she died? A Yes sir.

JOHNSON VANN being first duly sworn by me the Commission, testified as follws on the part of the applicant:

(By Mr. Davis)
Q State your name? A Johnson Vann.
Q How old are you? A 58.
Q Where do you live? A East of Chouteau.
Q What is your citizenship? Cherokee.
Q Freedman? A Yes sir.
Q How long have you been living east of Chouteau? A About 20 years.
Q Do you know Thomas Brown, the applicant in this case? A Yes sir.
Q How long have you known him? A About 18 years.
Q Where did he live in reference to where you are living? A South of me, close to Grand river, six miles below Fort Gibson.
Q How far from you? A 16 miles.
Q Did he ever live nearer to you than that? A Yes sir when he worked on the railroad.
Q How near did he live to you then? A He was working on the Section and lived at the Section house between Lillyetta and Gibson Station.
Q How far from you? A 13 miles.
Q Did you know his first wife? A Yes sir.
Q What was her name? A The widow Cook.
Q Do you know where Thomas Brown was living when he lived with his first wife? A Six miles below Fort Gibson, in the same brake bottom.
Q When did they marry? A In 1880.
Q How long did they live together? A About two years.
Q Were you around the place there when they were living there? A Yes sir.
Q Have you had any dealings with Brown? A Yes sir.
Q Did you go there in the summer or fall of '93, to see Brown? A Yes sir
Q Did you find him at home that time? A No sir.
Q Who did you see that time? A Mrs. Brown.
Q Did you have any conversation with her as to where Brown was? A Yes sir.
Q What was it? A I asked her where he was and she said he was not there, and I asked her when he would come back and she said " What do you want with him" and I told her I came there to see him about buying a yearling, and she said " The old Devil is not here and he will be back any more, I run him off, and then I asked her where he was and she said " I dont know " I was owning Mr. Daniels some money and he had come to see me about paying it and I didn't have the money and I told him that we would go to see Mr. Brown and that he would buy some yearlings that I had, and when we didn't find Brown at home we went back and I made other arrangements .
Q Mrs. Brown, who had been the widow Cook, told you that she had run Brown off and told you that the old Devil had left? A Yes sir.
Q What was her manner at that time, was she in a good humor or otherwise? A No sir she was not in a good humor, she seemed kind a worked up and mad.
Q Did you know her when she was Mrs. Cook? A Yes sir.
Q How many years before Brown married her did you know her? A Seven or eight years before she married Brown.
Q Whatwas her citizenship? A Cherokee.
Q By blood? A Yes sir.
Q What was her disposition as to being high strung or nervous? A I didn't know much about the lady, but when I was talking with her there she looked like she was a little mean and high strung then.
Q Where is she now? A Dead.

Q How long after this did she die? A She lived at the same place with one of the Bolins a while and she sent him off and then she died.
Q How long have you known Brown ? A 18 years.
Q What sort of a man is he? A I have always found Mr. Brown one of the most agreeablest men I have ever met.
Q Have you had business dealings with him ? A Yes sir.
Q What kind of a man have you found him to be with reference to your dealings with him, was he hard to get along with or otherwise? A I always found him a good quiet sort of man, never gives any one any trouble in dealing with him, I have always found him a good dealer.
(By Mr. Davenport)
Q Do you mean by a good dealer, that he dont stack any hands on you when he deals? A Yes sir deals with you on the square.
Q How long have you known him? A 18 or 20 years.
Q Where was he living when you first knew him? A Just below Fort Gibson
Q What had he done to his wife that made her mad rile up that day you were talking to her? A I dont know.
Q You know very little about how they got along together dont you? A No sir I dont know much about it.
Q You just happened to be down there that time and thought she was riled when she was talking to you? A Yes sir.
Q Was he running a ferry at that time? A No sir.
Q He left his wife anyway? A So said that he left.
Q Well, they didn't live together after that? A No sir.
Q Brown vacated and she remained? A Yes sir.

L. D. DANIELS, being first duly sworn by the Commission testified as follows on the part of the applicant-

(By Mr. Davis)
Q What is your name? A L. D. Daniels.
Q How old are you? A 56.
Q Where do you live? A Postoffice Claremore--no--Lenapah.
Q What is your citizenship, Cherokee freedman? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know Thomas Brown, the applicant in this case? A Yes sir.
Q How long have you known him? A 17 years.
Q Did you ever live near him? A No sir not near him.
Q Did you know his first wife? A Yes sir.
Q What was her name before he married her? A Cook.
Q Widow Cook? A Yes sir.
Q Where did Thomas Brown live when he was living with his first wife, Caroline Victoria Cook? A I will have to explain myself, I was living near Whiskey Ford , just above the mouth of Fourteen Mile Creek-
Q What direction from Fort Gibson? A 7 or 8 miles north east of there.
Q Do you know about what time he married this widow Cook? A No sir.
Q Did you ever go over there on any business? A Yes sir.
Q Who went with you? A Johnson Vann
Q Why did you go there? A I was owning a man named Reed $50.00 and I had loaned Johnson Vann some money and when Reed wanted me to pay him I didn't have the money and went to see Johnson about getting what he owed me, and he said he knowed where he could sell some yearlings and get the money he owned me.
Q Well where did you go to? A To Browns.
Q When did you go there? A In '82.
Q Did you see Brown there? A No sir.
Q Who did you see there? A Mrs. Cook, she was there, I didn't know that that she was Mrs. Brown. We asked for Brown and she said he was not there, and Johnson Vann said " When will he get back" and she said " I have drove him off from here and he will never be back here " and then I told Johnson Vann, " What am I going to do about my money" and he said " I will have to make other arrangements " and we rode off.
Q That was the widow Cook, then Mrs. Brown? A Yes sir.
Q Did you know her before she married Brown? A Yes sir.
Q You say you have known Thomas Brown for 17 years? A Yes sir.
Q What kind of a man is he as to being peaceable and easy to get along

with or otherwise? A Seemed to be a very nice man.
Q Is he high tempered or an easy going man? A Always seemed to be a very nice man with me.
Q Had you had business dealings with him up to that time? A No sir, not selling stock or that.
Q Just you have known him? A Yes sir.

BY MR. DAVENPORT: " The Representatives for the Cherokee Nation object to the introduction of the above testimony for the reason that it is incompetent and immaterial and is only hearsay."

BY THE COMMISSION: " Objection will be noted and the testimony considered for what it is worth "

(By Mr. Davenport of the witness)

Q How near have you lived to the applicant Brown within the last 15 or 20 years? A I lived on the Virdigris river where I am living now, and he lived on Grand river.
Q How far is that? A 50 or 60 miles.
Q How long had it been since you first knew Brown? A 17 years since I saw him first.
Q Within the last 15 or 20 years how near is the nearest you and he have lived together? A About 45 miles, I never lived near Brown, I lived near his first wife, I lived near her when I lived on Fourteen Mile Branch.
Q Did you ever live near Brown? A No sir.
Q (By Mr. Davis)
Q But you have known him during all this time? A Yes sir.
Q And know his first wife? A Yes sir, I knowed the woman.
(By Mr. Davenport)
Q You dont know anything about her except by hearsay do you? A She said herself that she had run him off.
Q She didn't say that she and Brown were married did she? A No sir.
Q She is dead now? A Yes sir.
Q Where is that other fellow that went with you to Brown's? A Johnson Wann, he was just here and testified.
Q That was the only time that you were at Brown's house? A I have been to that house several times.
Q You dont know how Brown treated this woman? A No sir.
(By Mr. Davis)
Q This was her place before she married Brown? A Yes sir.
Q She full heir to it when her first husband died? A I dont know.
Q They lived there? A Yes sir.

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Thos. von Wilms, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Thos. von Wilms

Subscribed and sworn to before me this the 16th of October, 1901.

Commissioner.

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., October 16, 1902.

In the matter of the application of Thomas Brown for enrollment as a Cherokee by intermarriage.

Supplemental testimony on behalf of the applicant.

Appearances:
Preston S. Davis, attorney for applicant.
Cherokee representative present.

MARTHA BALDRIDGE, being duly sworn by Commissioner Needles, testified as follows:

Mr. Davis: State your name? A Martha Baldridge.
Q What is your age? A 47 years old.
Q What is your citizenship? A By adoption.
Q Cherokee by adoption? A Yes, sir.
Q What is your husband's name? A Johnson Baldridge.
Q What is his citizenship? A Cherokee.
Q How? A By blood.
Q How much blood has he got in him? A Pronounced as a full blood.
Q Where do you live, Mrs. Baldridge? A I live about nine miles or ten southeast of Wagoner.
Q Did you know Caroline Cook as in her life time? A No, she always went by the name of Catherine Cook, or Katie, Katie Cook is generally what we called her.
Q When did you get to knowing her? A I don't know how long it has been, it has been a long time.
Q Where did she live? A Right here on the river by me.
Q About how far? A Mile and a half or two.
Q Were you intimately acquainted with her? A Yes, sir.
Q What relation were these Cooks, this notorious Cook gang, to her?
A Her sons.
Q Did you ever have any conversations with her in regard to her husband, Thomas Brown? A I didn't never hear her say anything about Thomas Brown, I heard her say she run a white man off by the name of Brown.
Q Heard her say she ran a white man off by the name of Brown?
A Yes, sir.
Q Go ahead and state what else was said? A Said he was a white man and she was going to run him off and her a Cherokee.
Q How many times did she say that? A Several times, she was at my house every day or two.
Q Did she get a Cherokee? A Yes, sir.
Q Who did she get? A Lewis McDaniel.
Q Do you know whether she married him or not? A Yes, sir.
Q She lived with him? A Yes, sir, until her death.
Q How many years did she live with this Cherokee after she run Brown off? A I don't know how many years it was for I never paid no attention.
Q Tell about how many? A Well I can't state.
Q Four or five or six years? A Oh yes it was a good while, several years, but I can't state how many years.
Q Where is this woman now? A She is dead.
Q You know Mr. Brown? A No, sir, don't know him.
Q Got no interest in this suit? A No, sir, don't know nothing about it, never saw this lady neither.
Q Never saw Brown's wife, his present wife? A Never saw her till she came down our way.
Cherokee representative: Where do you live? A I live two miles southeast of Wagoner.
Q How far from Grand river? A About two miles.
Q You been living there ever since Mrs. Cook was dead? A No, sir, I haven't, I don't know when she was dead, I got [illegible] there.

Q When did you move over in that country? A I have been in that neighborhood five miles of there for about 35 years I guess.
Q Mrs. Cook is dead? A Yes, sir.
Q You don't know Brown? A No, sir, I don't know Brown.
Q You don't know him? A No, sir.
Q You don't know who she was talking about when she said she run Brown off? A No, only just that is all, she just said she married a white man and she run him off, by the name of Brown.
Q You don't know whether this is the man in question or not? A No, I don't know whether this is the one or not.

Commissioner: This will be filed with Cherokee D card 317.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 18th of October, 1901.

Commissioner.

10.3.7

D 0317

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 16 1901

ACTING CHAIRMAN

No. 25

FERRY LICENSE.

TREASURY DEPARTMENT, CHEROKEE NATION.

Be it Known to all Whom it may Concern:

That by virtue of the authority in me vested by law, I do hereby grant unto

— Willard Starr — *a bona fide citizen of the Cherokee Nation,*

License to operate a Public Ferry on the Grand *River, at a point or place*

known as Watts Ferry *in accordance with Chapter 12, Article 33, Sections 151 and 152, pages 306 and 307, Compiled Laws of the Cherokee Nation. This License being subject to revocation for non-compliance, by said party, with the requirements of law as declared in said 151st Section.*

Given under my hand and Seal of Office at Tahlequah, C. N.,

this *day of* JUL 7 '892 *A. D. 188*

TREASURER CHEROKEE NATION.

Per

SECRETARY TREASURER.

LEVISON & BLYTHE STATIONERY CO. PRINT. ST. LOUIS

License Extended June 25 1893

FERRY LICENSE.

TREASURY DEPARTMENT, CHEROKEE NATION.

BE IT KNOWN TO ALL WHOM IT MAY CONCERN:

That by virtue of the authority in me vested by law, I do hereby grant unto Thomas Bloss, [illegible] *a citizen of the Cherokee Nation, License to operate a Public Ferry on the* Grand River *at a point or place known as the* old Boland Ferry *in accordance with Chapter 12, Article 11, Sections 151 and 152, pages 306 and 307, Compiled Laws of the Cherokee Nation. This license being subject to revocation for non-compliance by said party with the requirements of law as declared in said 151st Section.*

Given under my hand and seal of office at Tahlequah, C. N. this 24th day of February *1886.*

Henry Chambers

Treasurer Cherokee Nation.

Per. Robt. Ross

Secretary Treasurer

national certificate
Five cents in
Total,
Dollars.
the time for which
paid will Expire
Given from under
day of Oct. 1886.
Peter Champion
Collector

Dept.C.-D.#317.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., OCTOBER 26th, 1901.

SUPPLEMENTAL PROCEEDINGS in the matter of the enrollment of [redacted] as a Cherokee citizen:

Appearances:
Mr. P. S. Davis, Attorney for applicant;
Mr. W. W. Hastings, for Cherokee Nation.

Mr. Davis: The applicant offers in evidence Section 5 of Article 3, amendments to Cherokee Constitution approved in general convention of the Cherokee people at Tahlequah, on the 26th of November, 1866, found on pages 33 and 34 of the compiled laws of the Cherokee Nation, edition of 1892.

Also Article 16 entitled "Intermarriage of White Men and Foreigners," Section 669-670 inclusive, pages 329 to 334 inclusive of the compiled laws of the Cherokee Nation, edition of 1892.

---oooOOOooo---

J. C. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. C. Rosson

Subscribed and sworn to before me this October 26th, 1901.

Commissioner.

Supl.-C.D.#17.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 24, 1902.

SUPPLEMENTAL in the matter of the enrollment of THOMAS BROWN as a citizen of the Cherokee Nation:

Mr. W. W. Hastings, Cherokee Representative present.

The applicant and his attorney, Preston S. Davis, Vinita, Indian Territory, were notified by registered letter February 6, 1902, that this case would be taken up for final consideration by the Commission on the 24th day of February, 1902, and that they could on said date appear and introduce any further testimony affecting this case. Receipt has been acknowledged of Commission's letter both by the applicant and his attorney. They have been called three times and fail to respond and the case is ordered closed and submitted to the Commission for final consideration based upon the evidence now on file.

Commissioner.

J.O.P.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., October 3, 1902.

In the matter of the application of Thomas Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation:- Mary Brown, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Mary Brown.
Q What is your age? A About sixty-two.
Q What is your postoffice? A Ketchum, I. T.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q What is your husband's name? A Thomas Brown.
Q Is he a citizen by blood or intermarried citizen? A Intermarried
Q What is his age about? A About 49 I believe, I aint sure.
Q Is he the same Thomas Brown for whom application was made to this Commission for enrollment as an intermarried citizen on September 17 1900? A Yes sir.
Q When were you and Thomas Brown married? A I couldn't say what year.
Q About how long ago? A About fourteen years ago.
Q Were you and he married under a Cherokee marriage license?
A No sir.
Q Had you ever been married prior to your marriage to Thomas Brown?
A Yes sir.
Q Had he ever been married prior to his marriage to you? A Yes sir
Q How many times have you been married? A Lawfully married once before him.
Q Was that husband living or dead when you married Thomas Brown?
A Dead.
Q How many times had Thomas Brown been married before he married you
A Once.
Q Was his first wife living or dead when he married you? A She was dead.
Q Was his first wife a Cherokee or a white woman? A Cherokee.
Q Do you know whether he was married to her under a Cherokee license
A Yes sir, the Commission has his license and certificate.
Q Did Thomas Brown and his first wife live together from the time they were married up until the time of her death? A No sir.
Q They were separated? A Yes sir.
Q How long were they separated before that wife died? A I couldn't tell you exactly, she has been dead about eighteen years; she has been dead about twenty years.
Q Do you know anything about what the cause of the separation was?
A Not only what we have proven by other witnesses; I wasn't a neighbor to them. I have only seen the papers.
Q Then you couldn't testify anything at all of your own knowledge what you say about his separation? A No sir, not positivelt, only justwhat I have heard and what we have proven.
Q Well now, you and Thomas Brown have lived together ever since your marriage up until the present time? A Yes sir.
Q You and he haven't been separated? A No sir.
Q You were living together on the 1st day of September, 1902.
A Yes sir.
Q Do you know how long Thomas Brown has lived in the Cherokee Nation? A No sir, I don't know for certain.
Q Has he lived here for the last fourteen years? A For the last twenty years that I know of.
Q All the time? A Yes sir, making this his home for the last twenty years.
Q Never lived out of the nation for the last twenty years? A No sir

Frank Smith, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Frank Smith.
Q What is your age? A Twenty years.
Q What is your post office? A Ketchum, I. T.
Q Do you know Thomas Brown who is an applicant before this Commission for enrollment as an intermarried citizen? A Yes sir.
Q How long have you known him? A Ever since '92.
Q Did you know him when he and his first wife were living together?
A Yes sir.
Q What do you want to testify about? A I don't know.
Q You know that Mr. Thomas Brown and his present wife Mary Brown were living together as husband and wife on the first day of September, 1902? A Yes sir.
Q And they were living in the Cherokee Nation? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. G. Rothenberger,

Subscribed and sworn to before me this 20th day of October, 1902.

B. C. Jones,

Notary Public.

I, the undersigned, being first duly sworn, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I copied the above and foregoing, and that same is a true and complete copy of the original transcript.

Wm Hutchinson

Subscribed and sworn to before me this 23rd day of December, 1902.

B C Jones
Notary Public.

Cherokee D-417.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 3, 1902.

In the matter of the application of Thomas Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Preston S. Davis, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Preston S. Davis, age 32, postoffice Vinita.

Q Are you acquainted with Thomas Brown, an applicant for enrollment as an intermarried citizen? A Yes sir.

Q How long have you known him? A For several years, some three or four years.

Q You can make your statement? A I knew him at the time of his application; he was living with his present wife at that time and was living with her on the first day of September, 1902, and is still living with her; they live on Grand River and run a ferry-boat at the Ishand Ford; I knew he has never forfeited his citizenship in the Cherokee Nation by marrying out since the date of his application.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenberger

Subscribed and sworn to before me this 31st day of October, 1902.

B. C. Jones
Notary Public.

Cherokee D-XLV.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

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The record in this case shows that on September 17,1900, Mary Brown appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment, among others, of Thomas Brown as a citizen by intermarriage of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 12, 1901, October 16, 1901, and on October 26, 1901, and again at Muskogee, Indian Territory, on October 3, 1902.

The evidence in this case shows that Thomas Brown, a white man, was lawfully married, under authority of a Cherokee marriage license, on July 12, 1880, to Catherine Cook,a citizen by blood of the Cherokee Nation. Thomas Brown and his said wife, Catherine Brown, lived together for about two years and then separated, the wife of the applicant "running him off the place". Two years after their separation, Catherine Brown died. The said Thomas Brown is identified on the Cherokee Census Roll of 1896.

Section twenty-one of the Act of Congress approved June 28, 1898,(30 Stats.,495) provides for the enrollment of Cherokee citizens "with such intermarried white persons as may be entitled to citizenship under Cherokee laws".

Section 666 of the Compiled Laws of the Cherokee Nation (1892) is as follows:

> "Should any man or woman, a citizen of the United States, or of any foreign country, become a citizen of the Cherokee Nation by intermarriage,and be left a widow or widower by the decease of the Cherokee wife or husband, such surviving widow or widower shall continue to enjoy the rights of citizenship, unless he or she shall marry a white man or woman, or person, (as the case may be),having no rights of Cherokee citizenship by blood; in that case,all of his or her rights acquired under the provisions of this act shall cease".

The evidence in this case shows that the applicant secured rights of Cherokee citizenship through intermarriage with his first wife, Catherine Cook, and that subsequent to her death he married his present wife, Mary, a Cherokee citizen by blood.

The evidence further shows that said Thomas Brown has lived continuously in the Cherokee Nation for twenty-eight years, and was a resident therein and the lawful husband of his said wife, Mary, on September 1, 1902.

Cherokee D-317. -- #3.

It is, therefore, the opinion of this Commission that Thomas Brown should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898,(30 Stats., 496), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Bixby.
Acting Chairman.

(SIGNED) T. B. Needles.
Commissioner.

(SIGNED) C. R. Breckinridge.
Commissioner.

Dated at Muskogee, Indian Territory,

this DEC 10 1902

D E P A R T M E N T O F T H E I N T E R I O R,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 19th 1902.

In the m ter of the application of Thomas Brown for enrollment as a citizen of the Cherokee Nation by intermarriage.

Cherokee D 317.

Protest of the Cherokee Nation.

Comes now the Cherokee Nation and most respectfully protests aginst the decision of the Commission in this case rendered on Dec 10 1902 and asks that same be forwarded to the Honorable Secretary of the Interior for review.

The testimony in this case shows that the applicant married his first wife who is a citizen of the Cherokee Nation by blood; he lived with her but a short time and left h r; and left her upon the place which she continued to occupy until her death a short time afterwards. Twenty years have past and now after his first wife has long since been dead and after he has employed Preston S Davis as his attorney, the applicant who is a white man brings two darkies, Johnson Vann and L. D. Daniels who were standing witnesses before the Commission in numerous freedmen cases to prove that applicants first wife "ran him away from home." If his first wife was a woman of such very high temper and had really made him leave home it would seem that this applicant who is alive and active could get some reputable neighbors to come before the Commission and testify to that fact. It will be noted that applicants first wife, who is dead, can not be brought before the Commission to testify and for that reason her testimony is not produced and for that reason also this testimony should be most carefully enquired into.. He admits that he left her home and he admits that she continued to occupy the same place which she owned prior to their marriage until her death and there is no evidence whatever to show that the applicant ever made any effort to get his first wife to live with him after their separation. Neither is

there any evidence that he showed her any attention during her last illness or that he attended her funeral and in so much as we do not believe that the applicant is corroborated by reputable witnesses. We most respectfully dissent from the opinion rendered by the Commission in this case and ask that the same be forwarded to the Honorable Secretary of the Interior for review.

Respectfully submitted,

W W Hastings

Attorney for the Cherokee Nation.

A test:

J O Starr

Stenographer for the Cherokee Nation.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

The Records of This Office Show: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	46	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	881
John W. Thurman	253	William H. Burrow	907

Mary Pettit	977	Mattie Morton	1356
Bettie Mitchell	985	Andrew Walters	1373
John J Harrison	993	Jane H Holder	1430
Jasper N Bateman	1029	M M Barr	1462
Susan Ballard	1063	[illegible] Bottman	1484
Miss Eva Simmons	1075	[illegible] Bradford	1493
Ellen Thornton	1080	[illegible] Brewer	1709
Sarah E Hair	1086	[illegible]	1707
Norman S Drake	1092	[illegible]	1729
Susan Hogg	1094	[illegible]	1729
David L Scott	1099	[illegible]	1737
James C Taylor	1111	Amos Anderson	1750
Roxie Shepard	1128	William J Mount	1758
Robert G Elgin	1136	James D Alexander	1785
William Hall	1137	Willis L Miles	1789
Mary Ella Lattimore	1141	Lora Adair	1792
Maggie J Keys	1149	John Yarborough	1795
Joseph M Correll	1177	Lillie M Dassler	1802
Jane Ratley	1225	Bryant C Redington	1806
George E Norton	1234	Malissa A Maxwell	1809
Mahala D Thompson	1247	Richard Dukes	1805
Charles M Trammel	1264	Fannie Pettit	1806
Flora Carlile	1265	Genevia Pool	1807
William H Norrid	1275	Mollie Crossland	1822
Olivia Benge	1276	Lizzie Benge	1828
Dollie Wilson	1278	John H Weiss	1847
Moses Bell	1279	Edward P White	1848
Sarah Fleetwood	1290	Lauren P Green	1857
Rosa E Fargo	1299	Charles Rosser	1886
William M Oliver	1333	Lee Adair	1915
Andrew J Couch	1340	Henrietta Irving	1920
Lina Hyles	1347	Ben Trammel	1925
Mary M Miller	1350	John C Carlile	1947
Mary E Taylor	1368	John W Cristal	1954
Polly Ann Benge	1369	Sarah Young	1956
Margaret Moton	1385	Nancy A Coleman	2019
Minnie McKinney	1390	James N Winsenham	2048
Nettie Seabolt	1418	Hiram Stephens	2056
Lawrence G Faulkner	1433	Asa L Gumm	2059
Sarah A Holt	1449	Rebecca J Flying	2072
Jennette Polecat	1492	Thomas J Measles	2102
Ellen Seabolt	1508	John Goody	2115
Charles W Nettles	1509	Sarah Crutchfield	2236
Lena Sittingdown	1511	Henry F Lee	2253
Tim Creeden	1513	Sarah Gritts	2256
Odie Pidcock	1517	John A Madden	2261
Silas A Saterfield	1529	Henry C Pennel	2271
Laura J Jeremiah	1530	Matilda S Cleland	2282
Etta Hicks	1540	Dona A Frazier	2282
Mary A B McKinney	1550	Laura B Cordrey	2330

Lafayett D Kindred	2328	William A J Trotter	3257
Pearl V Sisson	2339	Albert P Goforth	3298
Nancy J Sevier	2380	Anna B Martin	3307
Mollie Hair	2385	William Brown	3344
Dora Sayers	2474	Jennie B Bluejacket	3345
William T Jones	2501	William Little	3377
Sarah L Martin	2502	Juha M A Russell	3386
William J Shoemaker	2506	Andrew J Smith	3393
Maud Baldridge	2511	William N Blakemore	3396
James L Townsend	2513	Lizzie Denton	3417
George L Morgan	2568	Belle Hudson	3435
Andrew A Brown	2575	Thomas S Heady	3437
Louis K Fair	2623	William M Roseborough	3444
James L Mitchell	2644	Madison G Hawkins	3467
Martha E McNair	2659	Japhat F Ellis	3491
Millard F Eggleson	2668	Emma McAffrey	3543
Elisha M Gray	2686	William T Huitt	3570
Jessie M Ballard	2694	Myra F Chouteau	3580
Annie Mayes	2798	Phillip Donohoo	3581
Belle Sixkiller	2809	Fred L Kelley	3593
James P Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V Fields	3615
William A Martin	2865	Lou Payne	3616
Joseph Q Buchanan	2888	Frederick W Strout	3692
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Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spainard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reed	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creech	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2830
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2864
Mary Guthrie	D	2865
Lydia Long	D	2866
Edda Roberts	D	2867
Manda Ward	D	2869
Elmina J. Alberty	D	2885
Thomas C. Cordray	D	2886
Edward Fowler	D	2887
Dora Foreman	D	2888
Parker Holt	D	2889
John Haston	D	2900
Georgie Harlin	D	2901
Percillia Johnson	D	2903
Bettie Morton	D	2905
Samantha Spade	D	2907
Mariah Ward	D	2908
Ellen Watt	D	2909
Nora Morten	D	2930
Lizzie Anderson	D	2963
Francis Duval	D	2964
Wade S. Hayes	D	2967
James A. Hankins	D	2968
Joseph Hardee	D	2981
Tennie Horn	D	2982
Eveline Hall	D	2983
John E. Leftwich	D	2985
Mattie Henson	D	2984
John D. Colvard	D	2987
Charles W. Phillips	D	2989
Sarah Shanks	D	2990
Nettie Young	D	2991
Jerry P. Ables	D	2995
Almedie Ross	D	2982
John S. J. Fowler	D	2985
Leaner Hood	D	2986
James D. Jackson	D	2987
Emma G. Nelson	D	2988
Alice Simco	D	2989
George O. Wallace	D	2990
Fannie Clay	D	2995
Ellen Drew	D	2979

[illegible]	D	3081	Della Baldridge	R	105
[illegible]	D	3082	Samuel Richey	R	107
[illegible]	D	3083	Malissa Fields	R	144
[illegible]	D	3084	Fred Zimmerman	R	220
[illegible]	D	3086	Ella Anspach	R	241
[illegible]	D	3088	Michael R. Mizer	R	266
[illegible]	D	3092	Belle A. Powell	R	352
[illegible]	D	3093	Austin L. Hill	R	420
[illegible]	D	3157	Mary L. Dudley	R	439
[illegible]	D	3171	Stephen Hazlett	R	465
[illegible]	D	3172	Mary A. Payne	R	484
[illegible]	D	3176	Rebecca Benge	R	563
[illegible]	D	3181	Sarah Wilson	R	613
[illegible]	D	3183	Dora Crane	R	628
[illegible]	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
[illegible]	R	19	Ollie A. Barger	R	656
[illegible]	R	41	Ida Hawkins	R	671
[illegible]	R	45	Lizzie Davis	R	761
[illegible]	R	61	Clara M. Emmons	R	803

THIS RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Chamberlain authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1906 (34 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
MEANS S. DAVIS,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDING.

ALEXIS C. ROBERTS,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6th, 1902

Mr. Thomas Brown,

Ketchum, Indian Territory.

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

24th day of February 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Very truly,

Cherokee D-517

Register.

Acting Chairman.

NA D317

COPY Cherokee E-317.

Muskogee, Indian Territory, December 16, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of Mary Brown for the enrollment of her husband, Thomas Brown, as a citizen by intermarriage of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Kane Dixy.

Acting Chairman.

Enc. E-963.

Cherokee D 317.

Muskogee, Indian Territory, December 23, 1908.

Mary Brown,

Kyhekuma, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1908, granting your application for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee Nation. There has heretofore been furnished your attorney Preston S. Davis, Vinita, Indian Territory, a copy of the record of proceedings had in the original application, and there has this day been forwarded to him a copy of the record of supplementary proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review.

N.B. -2-

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Register.

Enclosure H. No. 442.

Cherokee D 317.

Muskogee, Indian Territory, December 23, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting the application of Mary Brown for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee Nation, a copy of which decision was furnished you on December 15, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Cherokee D 317.

Muskogee, Indian Territory, December 23, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Mary Brown for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee Nation, including the Commission's decision, dated December 10, 1902, granting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enclosure H. No. 444.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
Cherokee B 317.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 23, 1902.

Preston S. Davis,

Attorney for Thomas Brown,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of supplementary proceedings had in the matter of the application of Mary Brown for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee Nation, together with a copy of the Commission's decision, dated December 10, 1902, granting said application. You have heretofore been furnished with a copy of the record of proceedings had in the original application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Register.

Enclosure H. No. 443.

Refer in reply to the following:
Land
77018-1902.

(Copy)

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs.

Washington, Feb. 3, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated December 23, 1902, forwarding for consideration the application of Mary Brown for the enrollment of Thomas Brown as a citizen by intermarriage of the Cherokee nation.

December 10, 1902, the Commission held that Thomas Brown should be enrolled as a citizen by intermarriage of that Nation. The Cherokee Nation protests against his enrollment.

The evidence in this case shows that Thomas Brown is a white man; that he was lawfully married under a Cherokee license on July 12, 1900, to [redacted], [redacted] at the time; that he and his wife lived together about two years and then separated, the wife of the applicant "running him off the place"; that two years subsequent to their separation Catherine Brown died; and that his name appears on the 1896 census roll.

The record shows that Thomas Brown has lived in the Cherokee Nation since about 1894; that subsequent to the death of his wife, Catherine Cook, he married his present wife, Mary Cook, who is a citizen of the Cherokee nation by blood.

It does not appear from the evidence that the applicant married his present wife in accordance with the laws of the Cherokee Nation, but inasmuch as he married his first wife, who was a Cherokee, in accordance with the laws of that Nation, and as the evidence does not show that he deserted her, the office is of the opinion that he should be enrolled as a citizen by intermarriage, and therefore respectfully recommends the approval of the Commission's decision.

Very respectfully

A. C. Tanner,

Acting Commissioner.

G.A.W.(S)

D.C.4558-1903. J.P.

DEPARTMENT OF THE INTERIOR,

I.T.D.1110-1903. Washington, pebruary 10, 1903.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 3, 1903, the Acting Commissioner of Indian Affairs submitted the record in the matter of the application of Thomas Brown for enrollment as a citizen by intermarriage of the Cherokee Nation, which case was submitted with your letter of December 23, 1902.

It appears that Brown is a white man; that he was lawfully married under a Cherokee license on July 12, 1880, to Catherine Cook, a citizen by blood of the Cherokee Nation; that he and his wife lived together about two years, when she drove him away from her home and would not live with him; that two years afterwards his wife died, and he married, in 1889, his present wife, a Cherokee by blood, though the marriage was not in accordance with Cherokee law. Brown has lived in the Cherokee Nation since about 1874 and his name appears on the 1896 census roll.

You found in your decision of December 10, 1902, that Brown secured rights of Cherokee citizenship through his intermarriage with his first wife and is therefore entitled to enrollment as a citizen of the Cherokee Nation.

The Nation protests against your decision, contending that the applicant abandoned his first wife.

The Department finds, as did the Acting Commissioner, that the evidence does not show that Brown abandoned his first wife. The Department concurs in the recommendation of the Acting Commissioner that your decision be concurred in, and it is hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN",

Acting Secretary.

1 inclosure.

COPY

Cherokee D-327

Muskogee, Indian Territory, February 26, 1903.

Thomas Brown,

Ketchum, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1903.

Respectfully,

Tams Bixby.

Chairman.

COPY.

Cherokee R-317

Muskogee, Indian Territory, February 24, 1903.

Preston S. Davis,

Attorney for Thomas Brown,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting the application of Thomas Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1903.

Respectfully,

Tams Bixby.

Chairman.

COPY.

Cherokee D-317

Muskogee, Indian Territory, February 26, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 18, 1902, granting the application of Thomas Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1903.

Respectfully,

Tams Bixby.

Chairman.

Cherokee
10100

Muskogee, Indian Territory, January 10, 1907.

Thomas Brown,

Ketchum, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Incl. Decn.

Cherokee 10100

Muskogee, Indian Territory, March 22, 1907.

Thomas Brown,

Ketchum, Indian Territory,

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

D Commissioner.

Cherokee
S et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting the application for the enrollment of James Watso, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.0-100
[illegible]

[illegible].

Cher 10101

Nora Morehouse

Trans. from D424

Cher 10101

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 25th, 1900.

IN THE MATTER OF THE APPLICATION OF NORA MOREHOUSE FOR THE ENROLLMENT OF HERSELF AND TWO CHILDREN AS CHEROKEE CITIZENS.

The said Nora Morehouse, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Nora Morehouse.

Q What is your age? A Twenty-five.

Q What is your post office address? A Vinita, Indian Territory.

Q For whom do you apply for enrollment? A Myself and two children.

Q Are you a recognized citizen of the Cherokee Nation by blood? A Yes, sir.

Q What degree of blood? A One-sixteenth.

Q What is the name of your father? A Hugh Carroll. He has been dead since 1885.

Q Is your mother living? A No, sir; she died about the same time father died.

Q What is the name ofyour husband? A Lewis E. Morehouse.

Q When did you marry him? A In 1895.

Q Is he living? A Yes, sir.

Q Have you a certificate of marriage? A Yes, sir.

Q What are the names of your children? A Helen Morehouse, six years old; and Clarence Augustus Morehouse, and I have a certificate of his birth.

THE COMMISSIONER The applicant presents a certificate of birth as to her youngest child.

Q What was your name before you married? A Carroll.

Q That was your name in 1880? A Yes, sir.

Q Are you living with your husband at this time? A Yes, sir. I am not on the 1880 Roll. My father's people were all on but he was readmitted in 1881; and when they died in 1884, my grandfather took us and kept us until 1895 we were married.

THE COMMISSIONER: You present a certificate of admission dated Tahlequah, December 6th, 1881, signed by John Rogers, Speaker of the Council, J. F. Hayes, Clerk of the Council, Daniel Ross, President of the Senate; countersigned by the Executive December 6th, 1881. This certificate purports to be a certified copy of the act, and the copy is signed by William P. Boudinot Executive Secretary, and under seal. In the certificate presented appears the name of Nora Carroll. Are you the identical Nora Carroll mentioned in this certificate? A Yes, sir; I suppose so.

MR. MATTOON: (Representative of the Cherokee Nation) This record I have shows she was admitted in 1881 also.

Q Well, when were you married? A The 25th of August, 1895.

Q To Lewis E. Morehouse? A Yes, sir.

Q Were you married according to the laws of the Cherokee Nation? A No, sir.

1896 Roll, page 668, No. 6838, Nora Morehouse, Delaware District.

1896 Roll, page 668, No. 6839, Helen Morehouse, Delaware District.

Q How long have you been living in the Cherokee Nation? A Three years since I have been married.

Q Where did you live before that? A Eureka Springs.

Q Did you live in Eureka Springs until three years ago always? A No, sir; I lived here with my father and mother, and after they died my grandfather took us there until we was married, and then we came back after we was married.

Q When did he take you there, in 1883? A In 1883.

Q When you were children? A Yes, sir; we were all three minors.

Q You staid there until 1897? A Yes, sir.

Q Then you married there, and came here into the Cherokee Nation? A Yes, sir.

Q And you have been living here ever since A No, sir; we have not been here but three years.

Q Well, for the last three years? A Yes, sir.

Q You were living here in the year 1898, were you? A Yes, sir.

(Examination by Mr. Hastings, representative of Cherokee Nation)

Q You say you were married in 1893? A Yes, sir.

Q You lived in Eureka Springs four years after you were married? A Yes, sir.

Q Your first child was born there? A All three of them were

Q All three of the children were born there? A Yes, sir.

Q What did your husband do there? A He just worked at most anything. He came here twice right after we was married and tried to rent a place, and he couldn't get anything only for cash rent, and he wasn't able to do it.

Q Where does your sister live, who was enrolled with you? A One in north Missouri and one in California.

Q Does your grandfather live in Eureka Springs? A He is dead but my grandmother is there yet.

Q What time in 1897 did you move here? A In January, the first day of January.

Q Have you got a farm here now? A Yes, sir; we are on a place now. My sister enrolled all right at Fairland, and she has been away all the time that I have.

BY THE COMMISSIONER: As I understand this case you were admitted in 1881 as a child A Yes, sir.

Q And your grandfather took you to Eureka Springs, to Arkansas,--the State of Arkansas? A Yes, sir.

Q And you lived there until you were married? A Yes, sir.

Q Q Which was in 1893? A Yes, sir.

Q And then you remained in Arkansas until 1897? A Yes, sir.

Q And then you removed here and have been residing here ever since? A Yes, sir; as soon as we could get a place here. And when I came here to enroll in 1896, and they said I would have to be readmitted, and I took this certificate along, and they said I didn't have to be readmitted any more then because we were minors, they said, when we were taken out.

MR. HASTINGS: (Cherokee representative) The only ground on it the question of a marriage and a residence of four years subsequent to her marriage. She could not claim minority to that.

THE COMMISSIONER: The name of Vera Morehouse is found upon the census roll of 1896, and she presents a certificate of admission

more particularly described in the testimony, certifying that she was admitted as Nora Carroll in the year 1881. Since that time, to-wit: on the 20th day of August, 1893, she married one Lewis B. Morehouse, a citizen of the United States, in the State of Arkansas; and she resided there with her husband from that time until the year 1897, and then removed to the Cherokee Nation, and has been here ever since.

An act of the Cherokee Council, approved December 4th, 1894, provides: "That all persons who have been and may hereafter be readmitted to citizenship in the Cherokee Nation, are hereby required to permanently locate within the limits of the Cherokee Nation within six months from the passage of the act, or from the date of readmission of persons hereafter readmitted, or no rights whatever shall accrue to such persons by reason of such readmission, provided that nothing in this act shall bar minors and orphans."

It appears from the testimony that the applicant was taken out of the Cherokee Nation by her relatives while an orphan, but she remained in the State of Arkansas for four years after she was married; consequently, final judgment as to the application of Nora Morehouse for the enrollment of herself and two children, will be suspended, and their names will be placed upon a doubtful card. The name of her child Helen is found upon the roll of 1896, and she presents satisfactory proof as to her youngest child, Charlene A.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of October A. D. 1900.

Commissioner.

0424

19

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 25 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 25 1900 1900.

Name Albia J.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

1 Wife's name Mora Morehouse nee Canott

District DELAWARE. Year 1896 Page 509 No. 2223

Citizen by blood Yes 1/16 Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Helen Morehouse Dist. DELAWARE. Year 1896 Page 509 No. 2224 Age 6

3 Clarence A. " Dist. DELAWARE. Year ..... Page ..... No. ..... Age 3

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

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3 Affidavit of birth supplied

F 1224

Executive Department,

CHEROKEE NATION, I. T.

Tahlequah, Decr 6th 1881

An act to readmit Hugh Carroll and Family to Citizenship.

Be it enacted by the National Council That Hugh Carroll, and wife Lucy Carrol and Children, Nora and Lizzy Carroll be and they are hereby readmitted to all the rights, privileges and franchise of Cherokee Citizenship. Decr 2d 1881.

John Severe
Speaker. Council

L B Mayes
Clerk Council

Concured in by Senate
Decr 6th 1881.

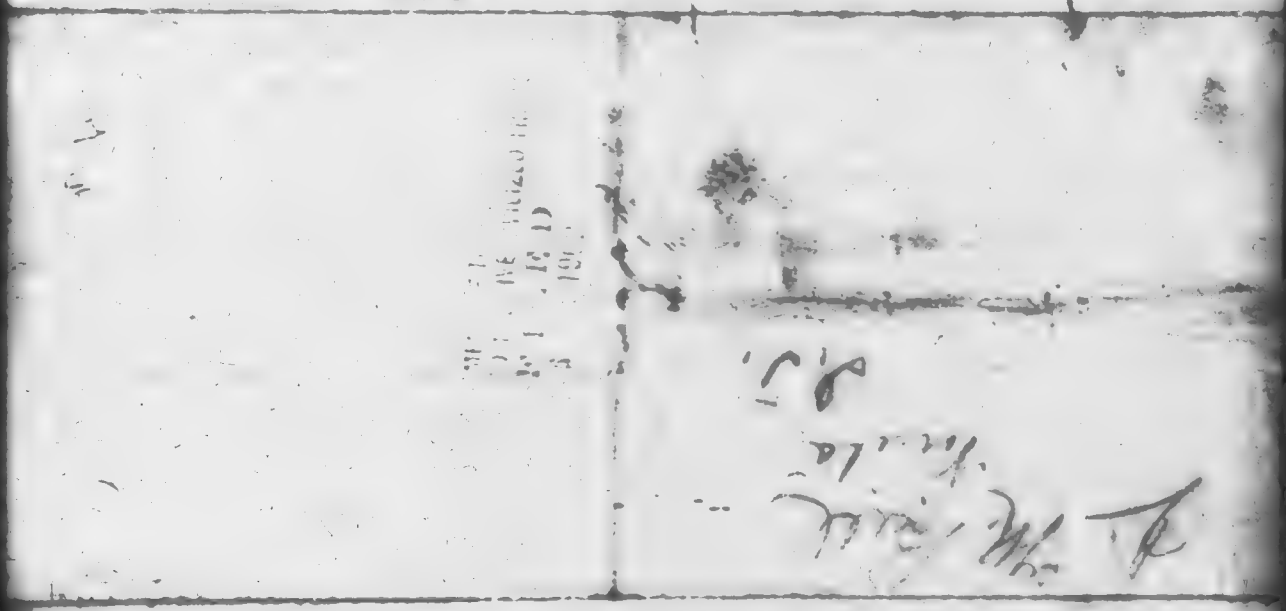
Roach Young
President Senate

D R Hicks
Clerk Senate.

Atlanta Dec 7th 1881

(Signed) E. W. Burkhalter

Ex. Dept. Ga. I hereby certify that the foregoing is a true copy from the Original in the Office of the Secretary of State



D. 424.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 26, 1902.

In the matter of the application of Nora Morehouse for the enrollment of herself and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 10th that her case would be taken up for final consideration by the Commission on the 26th day of February, 1902, and she this day appears before the Commission by her husband, Lewis B. Morehouse.

Cherokee Nation represented by W. W. Hastings.

The said Lewis B. Morehouse, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Lewis B. Morehouse.
Q How old are you? A 33.
Q What is your postoffice address? A Albia, I. T.
Q Are you the husband of Nora Morehouse? A Yes, sir.
Q And the father of her children? A Yes, sir.
Q Is she an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes, sir.
Q Is there any statement you desire to make relative to the enrollment of your wife and children? A No, I don't know that there is unless it is——there isn't any question about her blood is there, Cherokee blood? I don't know of any proof to bring up, only she was taken away from her when she was a child, a minor, and kept out until after she was of age by her grandparents, and didn't know that it was necessary to be here. As soon as she found out she came here and has been living here since. She appeared before the Council in 1896; they told her if she would come here and live after that she would be entitled to all the rights and privileges.
Q Do you, in behalf of your wife and children, submit this case to the Commission for final consideration? A Yes, sir.

The applicant by her husband, Lewis B. Morehouse, and the representatives of the Cherokee Nation present, submit this case to the Commission, and the same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

———

Arthur S. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings and testimony in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur S. Croninger

Subscribed and sworn to before me this 27th day of February, 1902.

Commissioner.

Cherokee-D-426

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nora Morehouse for the enrollment of herself and her three minor children, Helen, Clarence A. and Katie May Morehouse as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 23, 1900, the applicant, Nora Morehouse, appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of herself and her two minor children, Helen and Clarence A. Morehouse as citizens by blood of the Cherokee Nation. Further testimony was submitted in this case on February 26, 1902, at Muskogee, Indian Territory.

On March 18, 1902, there was filed with the Commission a birth affidavit duly executed on February 17, 1902 from which it appears that Katie May Morehouse was born on February 20, 1901; that she is the child of L. E. and Nora Morehouse, and that she was living at the date of the execution of the affidavit.

It appears from the evidence in support of this application and the printed acts of the Cherokee National Council for 1851, page 13, that Nora Morehouse was admitted to citizenship in the Cherokee Nation on December 7, 1851 by an act of the National Council. By the same act Hugh Carrol and his wife, Lucy, the parents of Nora Morehouse, were admitted to citizenship in the Cherokee Nation. It further appears that the parents of the applicant, Nora Morehouse, died about the year 1863 and she was then taken to the state of Arkansas by her grandfather. It further appears that the applicant, Nora Morehouse with her minor children who were then born, returned to and settled in the Cherokee Nation in the year 1898. Nora Morehouse and her minor child, Helen, are identified on the 1896 Census Roll of the Cherokee Nation. The minor child,

Clarence A., is too young to be upon that roll, but he is duly identified by a birth affidavit on file with the papers in the case.

The authority of the Commission herein is defined in Par.1, Sec. 21, of the act of Congress, June 28, 1898(30 Stats., 495).

It is therefore the opinion of this Commission that Nora Murdaugh, Ruben Murdaugh, Clarence A. Murdaugh and Katie May Murdaugh are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for their enrollment as such should be granted, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

this DEC -1 1902

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 15th 1902.

In the matter of the application of Nora Morehouse et al for enrollment as citizens of the Cherokee Nation by blood.

Cherokee D 426.

Protest of the Cherokee Nation.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission in this case and asks that the same be forwarded to the Honorable Secretary of the Interior for Review.

The testimony in this case shows that the Principal applicant Nora Morehouse was admitted to citizenship in the Cherokee Nation when she was a minor in 1881, that she afterwards removes to the state of Arkansas and made her home with her grand parents with whom she lived until her marriage in 1895 when she lived separate and apart with her husband in Arkansas until January 1897.. The Cherokee National Council passed an act approved December 4th 1894 providing:

" That all persons who have been or may hereafter be readmitted to citizenship in the Cherokee Nation are hereby required to permanently locate within the limits of the Cherokee Nation within six months from the passage of this act or from the date of readmission of persons hereafter readmitted or no rights whatever shall accrue to such persons by reason of such readmission provided nothing in this act shall bar minors and orphans."

The applicant Nora Morehouse was married in 1895 hence she was of age on December 4th 1894 when the above act was approved, and according to her own testimony she was born in 1876 and was nineteen years of age on December 4th 1894 and by years as well as by marriage she was of lawful age hence we argue that this act of the National Council refers especially to this kind of a case.

The act of June 10th 1896 provides that the United States Commission shall respect all laws of the several tribes or nations not inconsistent with the laws of the United States etc. Now if it be incumbent upon the Commission to respect the Cherokee law in making the roll of citizens of the Cherokee Nation we do not see how under this act of December 4th 1894 the applicants are entitled to be enrolled as citizens of the

Cherokee Nation and the Commissioner in the field before whom this case was heard refers to this act of the National Council and especially refers to her continuous residence in Arkansas and we are at a loss to understand how these applicants are entitled to enrollment if any respect is shown to this act o f the National Council dated December 4th 1894.

Again the Cherokee Constitution Article I Section 2 provides: "Whenever any citizen shall r emove ~~[illegible]~~ out of the limits of the Cherokee Nation with his effects and becomes a citizen of any other government" etc he forfeits his right to citizenship in the Cherokee Nation. Now this applicant removed out of the limits of the Cherokee Nation, it is true while she was a minor, but she became of age in 1883, married her husband in Arkansas whose residence and citizenship was there and her residence and citizenship immediately became that of her husband if not before.. She continued to reside there for four years after she reached her majority and under the Cherokee Constitution above referred to aside from the act of December 4th 1894 she would not be entitled to enrollment as a citizen of the Cherokee Nation.

No reference is made to this act of the National Council by the Commission in its decision and the Cherokee Nation most urgently insists that these applicants are not entitled to be enrolled as citizens of the Cherokee Nation.

Respectfully submitted,

R W Hastings Jr

Attorney for the Cherokee Nation.

Attest:

J C Starr

Stenographer for the Cherokee Nation.

DEPARTME[illegible]F THE INTERIOR

OFFICE [illegible]AN AFFAIRS

[illegible]
3711

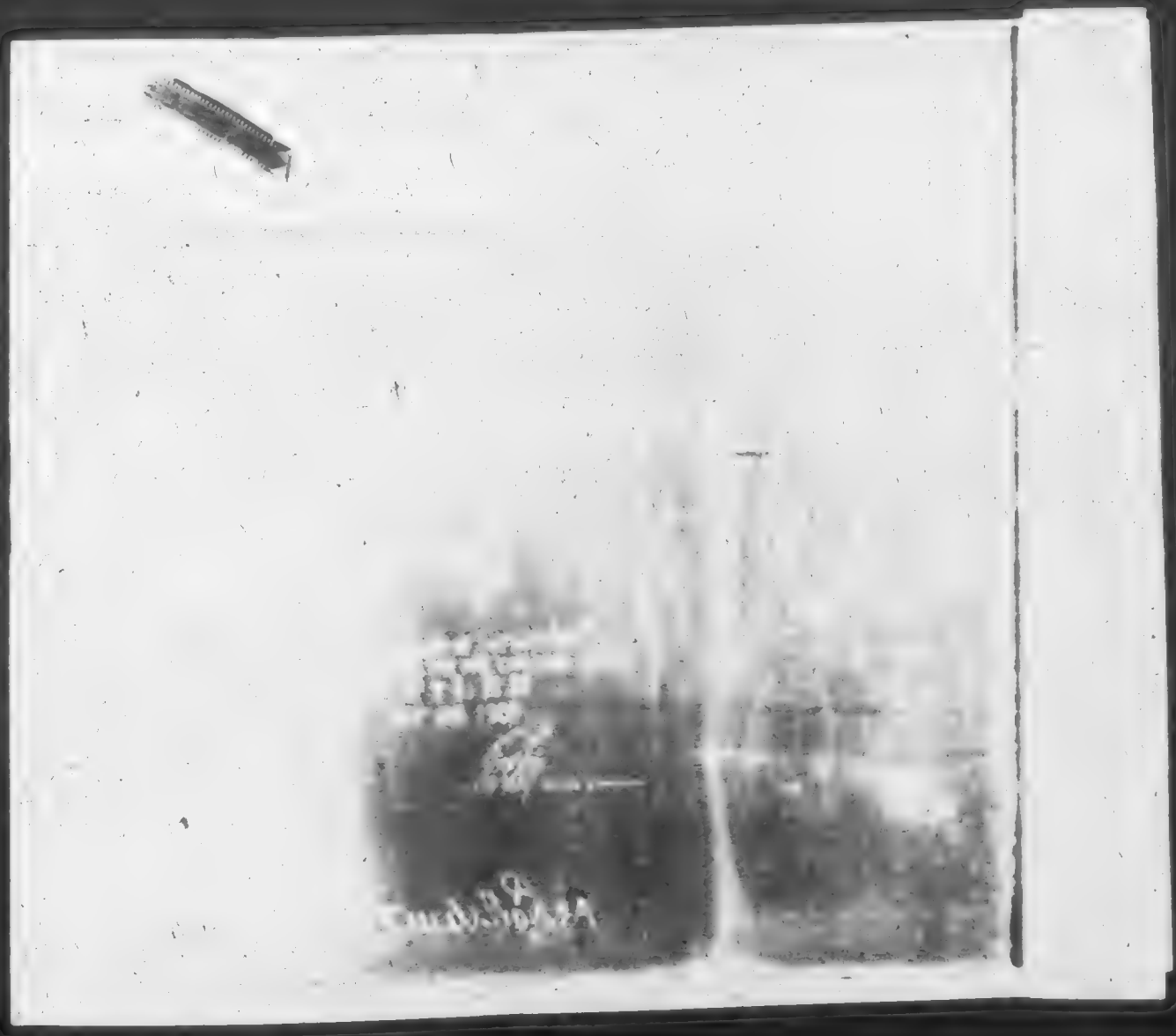
W[illegible]ON. July 15 , 1918.

I, E. B. Meritt, Assistant Commissioner of Indian Affairs, do hereby [illegible]y that the paper hereto attached is a [illegible] copy of the original, as the same appears on fil[illegible] in this Office.

IN [illegible]MONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.

E B Meritt

Assistant Commissioner



DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

RECEIVED
JUL 22 1918
3744
CIVILIZED TRIBES

10107

WASHINGTON, July 15, 1918.

I, E. B. Meritt, Assistant Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true copy of the original as the same appears on file in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.



E B Meritt

Assistant Commissioner

DEPARTMENT OF THE INTERIOR,

AFFIDAVIT OF WITNESS.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.


IN RE
INFANT CHILD

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEBLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 10th 1902

Mrs. Nora Morehouse,

Albia, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 26th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-434
Register.

Acting Chairman.

5424

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
1902

COPY

Cherokee D 424.

Muskogee, Indian Territory, December 3, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting the application of Nora Morehouse for the enrollment of herself and her three minor children, Helen, Clarence A. and Katie May Morehouse, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enclosure H. No. 81.

COPY

Cherokee D-424.

Muskogee, Indian Territory, December 20, 1902.

Nora Morehouse,

Albia, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself and your three minor children, Helen, Clarence A. and Katie May Morehouse, as citizens by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated December 1, 1902, granting your said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

A. B. Jones.

Enc. E-413.

Register.

Commissioner in Charge.

Copy. Cherokee D-424.

Muskogee, Indian Territory, December 20, 1902.

T. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 2, 1902, granting the application of Nora Morehouse for the enrollment of herself and her three minor children, Helen, Clarence A. and Hattie May Morehouse, as citizens by blood of the Cherokee Nation, a copy of which decision was furnished you on December 3, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles,

Commissioner in Charge.

COPY

Cherokee 5-414.

Muskogee, Indian Territory, December 8, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Nora Morehouse for the enrollment of herself and her three minor children, Helen, Clarence A. and Katie May Morehouse, as citizens by blood of the Cherokee Nation, including the Commissioner's decision, dated December 1, 1902, granting her said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is inclosed.

Respectfully,

Commissioner in Charge.

Through the Commissioner

of Indian Affairs.

Enc. 5-414.

Refer in reply to the following:
Land
76077--1902.

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.
Washington, Feb. 2, 1903.

The Honorable
The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Nora Morehouse for the enrollment of herself and her three minor childrem, Helen, Clarence A. and Katie May Morehouse as citizens by blood of the Cherokee Nation.

On December 1, 1902, the Commission rendered a decision in this case in which it finds from the evidence in supportof this application and the printed acts of the Cherokee National Council for 1881, page 13, that Nora Morehouse was admitted to citizenship in the Cherokee Nation on December 8, 1881, by an act of the National Council; that by the same act Hugh Carrol and his wife Lucy, the parents of Nora Morehouse, were admitted to citizenship in the Cherokee Nation; that it further appears that the parents of the applicant, Nora Morehouse, died about the year 1883, and she was then taken to the State of Arkansas by her grandfather; that the applicant, Nora Morehouse, with her minor children who were then born returned to and settled in the Cherokee Nation in the year 1897; that they are identified on the 1896 census roll of the Cherokee Nation; that the minor child, Clarence A., is too young to be upon that roll, but is duly identified by a birth affidavit on file with the papers in the case.

By reason of the premises the Commission is of the opinion that the said Nora Morehouse, Helen Morehouse, Clarence A. Morehouse, and Katie May Morehouse are lawfully entitled to be enrolled as members by blood of the Cherokee tribe of Indians in Indian Territory, by reason of the authority defined in paragraph 1, section 29 of the Act of Congress of June 28, 1898 (30 Stats., 495).

To this opinion of the Commission the Nation enters a protest, which protest has been examined by the office, but it does not appear that there are any facts set forth in said protest that interfere with the right of the Commission to find that these applicants are entitled to enrollment under section 21 of the said act of 1898; and as the office considers that said decision of the Commission is in accord with the provisions of said section 21 and is supported by the evidence in the case, it is respectfully recommended that the decision herein be affirmed by the Department.

Very respectfully,

Commissioner.

W.C.R.(S)

D.C.4557-1903. J.P.

DEPARTMENT OF THE INTERIOR,

I.T.D. [illegible] Washington, February 10, 1903.

L.R.S.

COmmission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

December 20, 1902 you submitted the record in the matter of the application for enrollment of Nora Morehouse and her minor children, Helen, Clarence A. and Katie May Morehouse, as citizens by blood of the Cherokee Nation.

The Acting Commissioner of Indian Affairs transmitted the papers February 2, 1903, and recommended that your decision in favor of the applicants be concurred in. A copy of his letter is inclosed.

It appears that Nora Morehouse, formerly Carroll, was readmitted to citizenship in the Cherokee Nation in 1881, by an Act of the National Council of that Nation; that by the same act her parents were also admitted; that such parents died about 1885 and Nora Morehouse was taken to Arkansas by her grandfather; that she married Morehouse in 1893 in Arkansas; that she returned to the Cherokee Nation in 1897 with her minor children, then born. She and her child Helen were identified on the 1896 census roll of the Cherokee Nation. Clarence A. Morehouse was born September 19, 1897, and Katie May Morehouse February 20, 1901.

After stating the facts as above given, your decision, merely referring to part one of Section 21 of the act of June 28, 1898 (30 Stat.,495),held that the parties are entitled to enrollment.

It is presumed that you had reference particularly to that portion of section 21 which provides that your Commission shall enroll

"All persons who have been enrolledby the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The Nation protests against your decision, contending that as the Cherokee law of 1894 provides:

"That all persons who have been or may hereafter be readmitted to citizenship in the Cherokee Nation are here by required to permanently locate within the limits of the Cherokee Nation within six months from the passage of this act or from the date of readmission of persons hereafter readmitted or no rights whatever shall accrue to such persons by reason of such readmission provided nothing in this act shall bar minors and orphans,"

and as Nora Morehouse was 19 years of age December 4, 1894 and as she was then married and a resident of Arkansas, she was of lawful age, and hence said act of the Cherokee Nation refers especially to this case.

The Department agrees with your conclusions as to your authority, under section 21 of the act of June 28, 1898, to enroll the applicants, and hereby affirms your decision.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Cherokee D-426

Muskogee, Indian Territory, February 26, 1906.

Mrs. Morehouse,

Nida, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated December 1, 1906, granting your application for the enrollment of yourself and your three minor children, Helen, Clarence A., and Katie May Morehouse, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1906.

Respectfully,

Tams Bixby,
Chairman.

COPY.

Cherokee 3-438

Muskogee, Indian Territory, February 26, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision, dated December 1, 1905, granting the application of Nora Hutchinson for the enrollment of herself and her three minor children, Helen, Clarence A. and Katie May Hutchinson, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1906.

Respectfully,

[redacted]

Cher 10102

Sarah R. Murphy

Trans. from D1087

Cher 10102

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBUARY 11th, 1901.

IN THE MATTER OF THE APPLICATION OF Conny Murphy for the enrollment of his wife, Sarah R Murphy, as a citizen of the Cherokee Nation; said Murphy being sworn and examined by Commissioner, Breckinridge, testified as follows:

Q Give me your full name? A Conny Murphy.
Q How old are you? A Thirty nine in March.
Q What is your Postoffice? A Choska.
Q In what district do you live? A I live in this District.
Q You are living in the Creek Nation? A Yes sir.
Q Who is it you want to have enrolled; just your wife?
A My wife.
Q Is your wife a Cherokee by blood? A Yes, sir.
Q What is her name? A Sarah R. Murphy.
Q How old is she? A Thirty seven years old.
Q She is a Cherokee by blood, is she? A Yes, sir, full blood.
Q Has she lived in the Cherokee Nation all her life?
A In the Creek Nation all her life.
Q Is her mother a Cherokee? A Yes, sir.
Q What is the name of her father? A Martin Buzzardflopper.
Q He is a full blood Cherokee? A Yes, sir.
Q Is he dead? A Yes, sir.
Q Give me the name of your wife'smother? A She knows but I do not.
Q Is her mother dead? A Yes, sir.
Q When were you and your wife married? A 1882, March 5th.
Q Have you a certificate of marriage?
A No, sir, it got burned up.
Q Is there any one here that knows you and she were married?
A No, sir; my brother was a witness and he lives in Missouri.
Q Is there any one here acquainted with you? A Her brother is here.

W. H. MARTIN, BEING SWORN AND EXAMINED BY COMMISSIONER, BRECKINRIDGE, TESTIFIED AS FOLLOWS:
Q Give your full name there? A W. H. Martin.
Q What is your age? A 30.
Q What is your Postoffice? A Muskogee is my postoffice.
Q Do you know the applicant here, Mr. Murphy? A Yes, sir.
Q Is his wife a sister of your's? A Yes, sir.
Q When were they married A I do not know exactly when they were married.
Q Been married a good long time, have they? A Yes, sir.
Q What is the name of your father? A Martin Buzzardflopper.
Q What is your sister's given name? A Sarah.
Q Have they been living together ever since they were married; Mr. Murphy and your sister? A Yes, sir.
Q How long has your father been dead? A My father has been dead ever since I was seven years old.
Q How long has your mother been dead? A She has been dead twenty eight or nine years; I was very small myself.
Q How who brought you children up? A Mashulmeel. Peter Mashulmeel.
Q Give me the name of his wife? A Betsy Mashulmeel.
Q Are they Cherokees? A His wife is a Cherokee.
Q And what is he? A He is a white man.
Q Are they still living; both of them? A Yes, sir.
Q Where do they live? A In Canadian District.
Q Did your sister live with them until she married Mr. Murphy?
A They were living in Muskogee here during the time he married her.
Q She was brought up in the Canadian District by Mashulmeel?
A They lived until he left until they moved out in the Cherokee Nation; they have been living in the Cherokee Nation since 1888.

The Applicant, Conny Murphy, re-called, testified as follows:

Q What is your business, Mr. Murphy? A Farmer.

W. H. Martin, re-called, testified as follows:

Q Mr. Martin, have you any brothers and sisters besides this sister? A I had a half brother and sister but my half sister is dead.
Q Who is Nannie Bussardflopper on the roll of 1880? A I don't know, it could have been my half sister.
Q Is she dead A Yes, sir.
Q Is she older than you? A Yes sir.
Q It could have been that half sister who died a long time ago? A Yes, sir.
Q Did you and she have the same father or same mother? A Same father.
Q William is yourself? A Yes, sir.
Q Who is George? A George is my half brother.
Q Who is Jennie? A That is my half sister.
Q How much older was your sister Nannie than you? A I could not tell you I was too small to remember.
Q She was some older? A Yes, sir.
Q Were there any children between you and her or did you come next to her? A I do not know anything about them children at all except George and Ji and Jennie is all I remember of.
Q Now, why is not your sister Sarah ~~xxx~~ on that roll? A I could not tell you.
Q She is your full sister? A Yes, sir.
Q Where were you living in 1880 when you were enrolled; were you living here at Muskogee? A I was living here at Muskogee.
Q And where was your sister living in 1880? A Here in Muskogee.
Q With Mr. McKlmeel? A Yes, sir.
Q And she may have been left off the roll in that way? A She might have been, I don't know.

1880 Authenticated roll of citizens of the Cherokee Nation examined and witness's name found on page 7 #185, as Willie Bussard Flopper, in Canadian distrct.

Q That you think is your enrollment in 1880 A Yes, sir.
Q You have a child living with Mr. McKlmeel now, haven't you? A Yes, sir.
Q Now, this half sister you are talking about, did she die before 1880? A I don't recollect her at all.
Q She likely died before 1880 because you were nine years old then? (No response.)

Conny Murphy the applicant, re-called, testified as follows:

Q Mr. Murphy, do you know the name of this half sister that Mr. Martin is speaking about? A Yes, sir.
Q What is her name? A Her given name is Nellie.
Q Was she living in 1880? A Yes, sir.
Q Was she married? A Yes, sir.
Q What was her name then, in 1880, Nellie Owen? A Yes, sir.
Q Was her husband named Lewis Owen? A He may have been named Lewis, but he went by another name.

Authenticated roll of 1880 of citizens of the Cherokee Nation examined and the name of Nellie Owens is found thereon as follows: (See Roll, Page 38, #1064, Nellie Owens, Canadian District)

Conny Murphy--A.

W. H. Martin, re-called, testified as follows:

Q Your half sister who is dead was very much older than you? A Yes, sir.

Tribal rolls of the Cherokee Nation examined and applicant's wife for whom he applies be identified thereon as follows:

1880 Authenticated roll, page 7, #184, Nannie Buzzard Flopper, Canadian district.

1896 Census roll, page 14, #1487, Sarah Murphey, Canadian district"Now in Creek Nation Living with her family of Creek citizens."

Conny Murphy, the applicant re-called, testified as follows:

Q Now, you and your wife have children? A Yes, sir.
Q You propose to enroll these children as Creeks do you? A Yes, sir.
Q How many children have you? A Nine.
Q Give me the names of these children? A Lottie.
Q How old is that child? A She is 18.
Q The next child? A Conny.
Q How old is that child? A He is about 16.
Q The next child? A Nannie.
Q How old is she? A About 14.
Q The next child? A Lemert.
Q How old is he? A About 12.
Q The next child? A Augustus.
Q How old is he? A Then.
Q The next child? A Willie.
Q How old is that child? A Eight.
Q The next child? A Wilson Jones.
Q How old is that child? A Five or six, six I guess.
Q The next child? A Reichard Lewis.
Q How old is he? A Four.
Q The next child? A Catherine, a year and a half.
Q Next child? A That is all.
Q These children are all living now are they? A Yes, sir.
Q Were these children enrolled in 1896? You have never had these children enrolled as Cherokees? A Some of them were enrolled but they were scratched off.
Q Have you had these children enrolled as Creeks? A Yes, sir.
Q You claim to be a Creek citizen? A Yes, sir.
Q You say some of these children were enrolled as Cherokees and that scratched off? A They was not allowed to be enrolled.
Q The enrollment was not allowed to stand? A No, sir.
Q Did you draw Cherokee annuity money for any of these children? A No, sir, I drew my wife's money.
Q That was all? A Yes, sir.

Court Examination:--The applicant applies for the enrollment of his wife, whom he states is a full blood Cherokee. She is identified on the rolls of 1880 and 1896 as a native Cherokee, under some variations of name, but they are explained in a satisfactory manner by the testimony. Her change of name arising from marriage to one established by the testimony of the applicant and of his wife's brother. It appears that they intermarried in 1897 and that since that time they have lived continuously in the Creek Nation. They have nine children and the applicant claims to be a Creek citizen. (Q You have enrolled as a Creek have you? A Yes, sir.) He states that he and all of his children have been enrolled as Creek citizens. For the further consideration of the provisions of the Curtis Bill relating to the citizen Cherokee husband, this applicant will be

taken under advisement, it not being desired at this moment to pass judgment upon the question whether the applicant's wife should be enrolled as a Creek or Cherokee. She will be listed for enrollment as a Cherokee by blood, but upon a doubtful card for the purpose stated and the final decision will be made known to the applicant at his post office address.

SUPPLEMENTAL to the above application: Cenny Murphy, the applicant, further testified:

Q Which enrollment would you wife prefer if she can take either?
A The Creek.
Q Did you apply for her as a Creek? A No, sir.
Q You never contested her right for Creek enrollment? A I just waited the decision of the Commission.
Q You just applied for yourself and children as Creeks? A Yes, sir.

---oOo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 12th day of February, 1908.

C. A. Brunson

Commissioner.

D1087

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 13 1901

ACTING CHAIRMAN

FIRST

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 11 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Feb. 14th 1900.

Name Cherokee N. B.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Samuel R. Trumbo

District Year 1880 Page 7 No. 184

Citizen by blood Yes Mother's citizenship Martin Bryson

Intermarried citizen Yes.

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Was on 1880 roll as Nannie Bryson
Stephens.

MEMORANDUM.

On April 25th, 1900, application was made for the enrollment as citizens of the Creek Nation, of the following named parties.

Lottie	Murphy
Conney, Jr.	"
Mattie	"
Robert Augustus	"
Eliza Jane	"
Sally	"
Richard Lewis	"
and Katherine	"

as citizens by blood of the Creek Nation. The evidence discloses the fact that the mother of these children is a citizen of the Cherokee Nation. No judgement has been rendered in this case.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE LAND OFFICE, APRIL 25, 1900.

In the matter of the application for enrollment as citizens of the Creek Nation of Lottie, Connie Jr., Mattie , Robert Augustus, Sally, Eliza Jane, Richard Lewis and Katherine Murphy, as citizens of the Creek Nation.

Connie Murphy being first duly sworn by Acting Chairman Bixby, testified as follows:

By Mr. Bixby.

Q What is your name? A Connie Murphy.
Q What roll are you on? A Broken Arrow.
Q You are a citizen of the Creek Nation, are you? A yes sir.
Q Have you been enrolled by this Commission? A Yes sir.
Q Where do you live? A Choska.
Q Is Choska your post office address? A Yes sir.
Q How long have you lived in the Creek Nation? A All my life.
Q Always been on the rolls? A Yes sir.
Q Is your wife living? A Yes sir.
Q What is her name? A Sarah.
Q Is she on the Creek rolls? A No sir.
Q Your wife is on the Cherokee rolls? A Yes sir.
Q Is she on the roll or '94? A I expect so; I don't know just the date.
Q Did she ever draw any money in the Cherokee Nation? A Yes, $14 one time and $23 another, or something like that; twice that I know of.
Q Did she draw the strip money? A Yes, she drew her part; the children did'nt draw.
Q Your wife has never claimed citizenship in the Creek Nation, has she? A No sir; I don't know why she was on the '80 roll unless it was because she was living here; there has always been some kick about her living here.
Q You know there are a good many citizens living out of the Cherokee Nation that are on the Cherokee rolls? A Yes, and since we was married she tried to be on the Cherokee rolls; we did'nt expect she could get anything here because she was not a Creek, but I did'nt have any idea but what the children would be Creeks because the Creek Nation counted them Creeks. My folks was Creeks, all of them, except my father's side.
Q These children never drew any money in the Cherokee nation?
A Yes, I think 2 or 3 of them drew in the Cherokee Nation, I don't know just how many; they drew either $13 or $14.
Q Is there anything else you think of you would like to state in regard to this matter? A No, there is nothing, only that the nation never has rejected them.

By Commissioner Bixby:

Enrollment is refused for the reason that these children are the offspring of a Cherokee mother, whose name appears on the rolls of the Cherokee Nation.

Department of the Interior, Commission to the Five Civilized Tribes: I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

(Signed) Frances R. Brown.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, IND. TER. SEPTEMBER 4th, 1900.

pppppppppppppppppppppp

In the matter of the application of Conny Murphy, for the enrollment of his eight minor children, Conny Jr., Mattie, Robert, Augustus, Sallie, Eliza J., Richard L., and Catherine, as citizens of the Creek Nation.

Conny Murphy being duly sworn by Acting Chairman, Bixby, testified as follows:

By the Commission.
Q What is your name? A Conny Murphy.
Q What is your age? A 39.
Q What is your post office address? A Choska, I. T.
Q For whom are you applying for enrollment as citizens of the Creek Nation? A For my children.
Q How many children are you applying for? A Eight.
Q Please give thenames and ages of each of your children?
Q Conny Jr., 15, Mattie, 13, Robert, 11, Augustus 9, Sallie 7, Eliza J. 5, Richard L. 3, and Catherine, 11 months.
Q Are these eight minor children of yours all now living?
A Yes.sir.
Q Their post office is the same as yours? A Yes sir.
Q You are the father of all these children? A Yes sir.
Q Are you a recognized citizen of the Creek Nation? A Yes sir, a citizen by blood.
Q Have you ever been enrolled by the tribal authorities of the Creek Nation? A Yes sir, every roll that was made since I was born.
Q Does your name appear upon the tribal rolls of the Creek Nation? A Yes sir.
Q To what town do you belong ? A Broken Arrow.

The authenticated rolls of the Creek Nation for the year 1890, Broken Arrow town, examined and the name of Conney Murphey found thereon on page 223; also the pay roll of the Creek Nation for the year 1895, Broken Arrow town examined and the name of Conney Pmurhey found thereon at number 86.
The commission to the Five Civilized Tribes has not in its possession the authenticated roll of the Creek Nation for 1895 of Broken Arrow town.

Q Where do these eight minor children of yours live? A At Choska.
Q Do they live with you? A Yes sir.
Q You are the father of these eight minor children ? A Yes sir.
Q Who is the mother of these eight minor children? A Sarah Murphy.
Q She is a recognized citizen of the Cherokee Nation is she not?
A Yes sir.
Q Is her name on the authenticated roll of 1880 of the Cherokee Nation? A No sir.
Q Has your wife, the mother of these eight minor children, ever been recognized by the tribal authorities of the Creek Nation as a citizen thereof? A No sir.
Q Have these eight minor children of yours ever been enrolled by Cherokee tribal authorities as a citizen of the Cherokee Nation? A 2 or 3 of the children were enrolled but their

names were scratched off of the Cherokee rolls.

Q Do the names of any of the minor children for whom you make application appear upon any of the tribal rolls of the Cherokee Nation? A I don't know.

Q Have your eight minor children for whom you now make application for enrollment as citizens of the Creek Nation, ever been recognized by the tribal authorities as citizens thereof?

A Yes sir.

Q Have these eight minor children of yours been enrolled by the tribal authorities of the Creek Nation as citizens of the Creek Nation? A Yes sir.

Q Do the names of these eight minor children appear upon the tribal rolls of the Creek Nation? A Yes sir.

The Authenticated tribal rolls of the Creek Nation for the year 1890, Broken Arrow town, examined and the names of Berry and Mattie found thereon, on page 233.

Q Did you have a child in your family by the names of Berry?

A No sir.

Q Did you have any kinfolks by the name of Berry? A No sir.

Q For how many children did you draw money in 1890 from the Creek Nation? A I dont remember, but I believe it was seven, but I am not right sure; I drew for all; I got the names mixed up; I drew at two payments; I drew $216.00.

Q Do you identify the name of Berry as [redacted] A I just drew for Bob; it was just a mistake of the town chief was all; I drew for Bob.

Q In your opinion Berry was meant for Bob? A Yes sir.

The 1891 Omitted roll of the Creek Nation, Broken Arrow town examined and the names of Conny Murphy and Gus Murphy found thereon at Nos" 400 and 401 consecutively; also the 1895 pay roll of the Creek Nation, Broken Arrow town, examined and the names of Conny Murphy, and Robbie, Gustavus and Sallie Murphy found thereon at No. 84-89-90-91- and 92 consecutively. Also the 1895 pay roll of the Creek Nation, Brown Arrow town examined and the name of Edna found thereon at # 92-2; the name of Edna however was written on the 1895 roll with a lead pencil and indicates thereon further in lead pencil that it was a new born, and it appears that the name was placed thereon after the 1895 roll was made.

Q What degree of Creek Indian blood do you claim for yourself?

A My great-grand-mother was a full blood- about 1/8.

Q What degree of Creek Indian blood do you claim for your eight minor children? A About 1/16.

Q You have been enrolled yourself as a citizen of the Creek Nation? A Yes sir.

Q Are you advised that the Act of Congress approved June 29th 1898, commonly known as the "Curtis Bill" contains the following provisions.

"The several tribes may by agreement, determine the right of persons who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe; but if no such agreement be

#3. Conny Murphy.

made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right."

A Yes sir.

Q Have you and your eight minor children, for who you now make make application for enrollment as citizens of the Creek Nation, resided continuously in the Creek Nation during the past three years? A Yes sir, resided here all their lives, never been any where else.

::::::::::::::::::::::::

W.E.Gentry, being duly sworn by Acting Chairman Bixby, testified as follows:

By the Commission.

Q How old are you? A 56.

Q What is your post office address? A Checotah, I. T.

Q You are a recognized citizen of the Creek Nation, are you not?

A Yes sir.

Q Are you holding any office in the Creek Nation at the present time? A I don't know whether you would call it holding office or not; I am a member of the council, lower house.

Q What Creek town do you represent? A Broken Arrow.

Q How long have you resided in the Creek Nation? A Ever since 1855.

Q Do you know Conny Murphy who applies for enrollment for his 8 minor children? A Yes sir.

Q Do you know how many children he has? A I don't know exactly how many children; I have been there at his house and I know that he has got a good many, but just the number I cannot say.

Q Do you know the names of any of the children? A Well no I don't know as I do.

Q You are familiar with the town roll of Broken Arrow Town are you not? A Yes sir I ought to be more than I am, but they are not in very good shape.

Q Was you ever town king of Broken Arrow town? A No sir.

Q Do you know whether or not all of Mr.Murphy's children have always been recognized by the Creek tribal authorities as citizens of the Creek Nation? A Yes sir, always been recognized; I never heard them doubted.

Q Do you know whether or not all of his minor children have been enrolled by the tribal authorities of the Creek Nation? A I do not know; that was my understanding that they were enrolled them all. I know that I had a right smart to do with the getting up of the last rolls when Joe Mingo was chief. I dont know whether they got them all or not, but they got all that was living at that time. All that was born then.

Q How long have you known Mr. Conny Murphy? A Ever since he was a boy; always knew him.

Q Do you know that he has a large family of children? A Yes sir, I have been there at his house and staid with them nights he lives quite a ways from me and in passing there I stopped with them; I know they runn from grown down; not much difference in sizes as they go along.

Q Has Mr. Murphy and his children always been recognized by the Creek Nation as citizens thereof? A Yes sir that is my understanding, I have never heard it disputed.

#4. Conny Murphy.

Q You have not heard the citizenship of Mr. Murphy or any of his children questioned by the Creek tribal authorities?
A No sir, I know they never was because I belong to the same town he does; I know I would have heard it if there would have been.
Q Did you ever hear of them being considered as Cherokee citizens? A I knew their mother was Cherokee, but they never lived in the Cherokee Nation. Whenever they live here they always consider them citizens if they have Creek blood in them. They belong to the father's town when the mother is of different nationality.
Q You have no doubt then, Mr. Gentry that theeight children of Mr. Murphy, for whom he now makes application for enrollment as citizens of the Creek Nation, are citizens thereof, and entitled to enrollment? A Yes sir just as much entitled as anybody, and no Creek citizen doubts it; I never heard one express anything in my life against them; never heard of their citizenship being doubted or questioned; but his wife was held as a citizen, I know when he married right here.
Q Do you know whether or not the authenticated roll of 1895 Broken Arrow town, is now in existence? A No sir I do not.
Q Have you ever seen the authenticated roll of the 1895?
A I always assisted Mingo; I kept the roll, I got my book one time; but it is lost; I bought it for him and got Mrs. McKellop to get it up, she got it up for him in good shape; I cannot remember dates but I know that I bought a book for him and gave $2.00 for it.
Q Did Mr. Murphy ever have any trouble in having the names of his children placed upon the rolls of Broken Arrow town?
A No sir.
Q Was their citizenship ever questioned by the Creek Council?
A No sir, ever was brought up; I have been a member of the Council two terms, eight years and never heard of its being questioned. I don't believe you would ever hear of any Creek citizen ever questioning the right.
Q You are satisfied in your own mind that these minor children of Mr. Murphy in reality participated in all payments made in the Creek Nation to which they were entitled to receive?
A Yes sir.

Conny Murphy re-called:

Q The names of your two youngest children, Richard L. and Catherine Murphy, do not appear upon any rolls of the Creek Nation do you know how to account for this? A Yes sir, they were born since the roll was made .
Q Have they been put on any rolls of the Creek Nation ? A I don't know but what Dick has; but the only rolls that they have been put on by the Commission, Richard may have been put on the Creek rolls, I am not sure though that he was, but I think possibly that the roll that he was put on when the Commission was at Coweta some two years ago he was enrolled.
Q Have they been put on the town roll of the Creek Nation?
A The youngest has not. I dont know whether Richard has or not, it is likely that he has.
Q You and your children have always resided in the Creek Nation?
A Yes sir
Q You have a home here? A Yes sir.

W.Conny Murphy.

E. Hastain having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 4th day of September, 1900, and that the above and foregoing is a full, true and correct transcript of his stenographic notes, of said proceedings on said date.

(Signed) E. Hastain.

Subscribed and sworn to before me this is the 31 day of October, 1900.

(Signed) Guy L.V.Emerson,

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE I. T. SEPTEMBER [illegible], 1900.

In the matter of the application of Conney Murphy for the enrollment of his minor children, Conney, Jr., Mattie, Robert, Augustus, Sallie, Eliza Jane, Richard Lewis, and Catherine.

TAYLOR CHISSOE, being duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Taylor Chissoe.
Q Are you a citizen of the Muskogee Nation? A Yes sir.
Q What town do you belong to? A Broken Arrow.
Q Have you held any official position in the Creek Nation?
A Yes sir.
Q You may state what it was. A I have been council member eight years.
Q Which house? A Both houses.
Q Were you a member of the Council in the year 1895? A Yes sir.
Q Did you have anything to do with the making of the census rolls of Broken Arrow town? A Yes sir, I was town leader then and took the census of the town.
Q Did you know Conney Murphy at the time you made out the roll?
A Yes sir, we were both living in town [illegible] here in town.
Q Were you acquainted with the members of his family? A Yes sir.
Q Can you state whether or not their names were placed on the 1895 census roll of Broken Arrow town? A Yes sir, I went to him and he gave me the names and I put them down.
Q Do you remember how many names were placed on the roll at that time? A About four or five, though I am not certain.
Q Are you able to give the names of his children? A Yes sir, some of them. Bob, Gus, I haven't seen them for so long--Mattie.
Q Was there one named Conney? A Oh yes sir, Conney.
Q On the 1895 pay roll at # 92-[illegible] is a name in lead pencil, Eliza marked, new born; do you know who placed that name there? A (Witness is here shown the aforesaid pay roll at the aforesaid page and number).
A No sir I dont know who put it there.
Q Are you positive, Mr. Chissoe, that the names of Conney Murphy, Lottie Murphy, Conney Murphy Jr., Mattie Murphy, Robbie Murphy, Gustavus Murphy and Sallie Murphy were placed upon the 1895 authenticated census roll of Broken Arrow town?
A Yes sir.
Q When the money was paid to Conney Murphy did you identify these names as being on the authenticated roll? A Yes sir.
Q Was the 1895 authenticated roll of Broken Arrow town, which you prepared, adopted by Council? A Yes sir.
Q Is Mr. Conney Murphy and his children residing in the Creek Nation, and been recognized by the Creek tribal authorities as a citizen of the Creek Nation? A Yes sir, they resides here, born and raised right here in the Creek Nation.
Q And been recognized as Creeks? A Yes sir, and drawed their money.
Q The mother of these children is not a citizen is she? A No sir she is a Cherokee.

Chas. von Weise, having been first duly sworn, upon his oath, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full

#2. Conney Murphy.

all proceedings had in the above entitled cause on the 20th day of September, 1900, and that the above and foregoing is a true, correct and full transcript of his stenographic notes, of said proceedings on said date.

(Signed) Chas. von Weise.

Subscribed and sworn to before me this the 29 day of January 1901.

(Signed) T.B.Needles

Commissioner .

SAR

Cherokee D-1087.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sarah R. Murphy as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 11,1901, Genny Murphy appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of his wife, Sarah R. Murphy, as a citizen by blood of the Cherokee Nation.

The evidence shows that the said Sarah R. Murphy was born in the Cherokee Nation, and that she is a native Cherokee. She is identified on the 1880 authenticated tribal roll of the Cherokee Nation under the name of Nannie Buzzard Flopper. She is also identified on the 1896 census roll of the Cherokee Nation.

The evidence shows that the said Sarah R. Murphy lived in the Cherokee Nation until the year 1882; that since 1882 she has lived in the Creek Nation, and that she was a resident of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Sarah R. Murphy should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

T. R. Ricketts
Commissioner.

Muskogee, Indian Territory,

this DEC 10 1902

D E P A R T M E N T O F T H E I N T E R I O R,

Commission to the Five Civilized Tribes,

Muskogee I. T. December 19th 1902.

In the matter of the application of Sarah R. Murphy for enrollment as a citizen by blood of the Cherokee Nation.

Cherokee D 10 67.

Protest of the Cherokee Nation.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission rendered in this case on December 10th 1902 and asks that the same be forwarded to the Honorable Secretary of the Interior for review.

As the decision indicates the evidence shows that the applicant since 1882 has lived in the Creek Nation and that she was a resident of the Creek Nation at the date of her application.

In as much as we have discussed this question in the case of Mary J. Williscm, Cherokee D 1134 which is now before the Department reference is made to the protest of the Cherokee Nation in that case.

Respectfully submitted,

W W Hastings JCA

Attorney for the Cherokee Nation.

6 m

Creek Indian Card
Field No. 4405.

Muskogee, Indian Territory, December 11, 1902.

Cherokee Enrollment Division,

Commission to the Five Civilized Tribes.

Gentlemen:

You are hereby advised that Conny, Jr., Mattie, Robert, Augustus, Sallie, Elias J., Richard L., and Catherine Murphy, have been regularly enrolled as citizens of the Creek Nation, on Creek Indian Card, Field No. 4405.

It appears from the records of the Creek Enrollment Division that Conny Murphy, the father of these children, is a recognized citizen of the Creek Nation; that the mother is a recognized citizen of the Cherokee Nation, and that the father has elected to have these children enrolled as citizens of the Creek Nation.

Respectfully,

Acting Chairman.

COPY

Cherokee D-1087.

Muskogee, Indian Territory, December 15, 1902.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of Conny Murphy for the enrollment of his wife, Sarah R. Murphy, as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. H-262 .

Cherokee D 1087.

Muskogee, Indian Territory, December 23, 1902.

Conny Murphy,

Choska, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of your wife, Sarah R. Murphy, as a citizen by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated December 10, 1902, granting said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Register.

Enclosure M. No. 446.

Cherokee D 1087.

Muskogee, Indian Territory, December 23, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Wheeler, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting the application of Conny Murphy for the enrollment of his wife, Sarah E. Murphy, as a citizen by blood of the Cherokee Nation, a copy of which decision was furnished you on December 15, 1902, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Cherokee 3 1097.

Muskogee, Indian Territory, December 24, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Sonny Murphy for the enrollment of his wife, Sarah E. Murphy, as a citizen by blood of the Cherokee Nation, including the Commission's decision, dated November 10, 1902, granting said application.

Respectfully,

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enclosure H. No. 446.

Refer in reply to the following:
Land
77018-1902.

Copy.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

Washington, Feb. 3, 1903.

The Honorable

the Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated December 23, 1902, forwarding for the Department's consideration the record relative to the application of Cenny Murphy for the enrollment of his wife, Sarah R. Murphy, as a citizen by blood of the Cherokee Nation.

December 10, 1902, the Commission held that Sarah R. Murphy was entitled to enrollment as a citizen by blood of the said Nation. The Cherokee Nation protests against the Commission's decision on the ground principally that the evidence shows that the applicant has resided in the Creek Nation since 1882.

The record in the case shows that Sarah R. Murphy was born in the Cherokee nation. She is identified on the 1880 roll under the name of Nannie Buzzard Flepper. The record also shows that her name appears on the 1896 Cherokee census roll; that she lived with in the Cherokee nation until 1882, when she removed to the Creek Nation; and that she was a resident of that nation at the time of her application.

In view of the fact that she was born within the limits of the Cherokee Nation, is of Cherokee blood, and considering that her name appears on the 1880 and 1896 Cherokee rolls, the office believes

that the decision of the Commission is correct and recommends its approval.

Very respectfully,

A. C. Turner,

Acting Commissioner.

O.A.W.(3)

D.C.4559-1903.

DEPARTMENT OF THE INTERIOR, Rec.

ITD.1106-1903. Washington, February 10, 1903.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentleman:

December 25, 1902, you transmitted the record in the matter of the application for the enrollment of Sarah E. Murphy as a citizen by blood of the Cherokee Nation, including your decision of December 10, 1902, granting the application.

It is stated in your decision that the evidence shows that the applicant was born in the Cherokee Nation, and that she is a native Cherokee; that she is identified on the 1880 authenticated tribal roll of the Cherokee Nation "under the name of Jennie Rachael Flopper/" and is also identified on the 1896 Cherokee census roll; that ever since 1883 she has lived in the Creek Nation. You hold that under section 21, Act of June 28, 1898 (30 Stat., 495), the applicant should be enrolled as a Cherokee citizen.

The nation protests against her enrollment, and refers to the argument in the case of Lucy J. Willsten (Cherokee 3 Mills).

Reporting February 5, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

Following the decision in the Williston case, the Department affirms your decision in the case under consideration.

Respectfully

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Cherokee D-1098

Muskogee, Indian Territory, February 26, 1903.

Jenny Murphy,

Checota, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1902, granting your application for the enrollment of your wife, Sarah E. Murphy, as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 18, 1903.

Respectfully,

Tams Bixby

Chairman.

Copy Cherokee D.1007.

Muskogee, Indian Territory, February 26, 1908.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 10, 1907, granting the application of Sonny Murphy for the enrollment of his wife, Sarah E. Murphy, as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on February 10, 1908.

Respectfully,

Tams Bixby,
Chairman.

Cher 10103

Houston J. Payne

Trans. from R 59

Cher 10103

Department of the Interior,
Commission to the Five Civilized Tribes,
Muldrow, I.T., August 13, 1900.

In the matter of the application of Houston J. Payne for enrollment of himself, wife and four children, as citizens of the Cherokee Nation, said Payne being sworn by Commissioner Needles testified as follows:

Q What is your name? A Houston J. Payne.
Q Your age? A 37.
Q Your post office? A Fort Smith, Arkansas.
Q Are you a Cherokee citizen? A Yes, by adoption.
Q For whom do you apply for enrollment? A Myself, wife and four children.
Q What district do you live in? A Sequoyah.
Q How long have you lived there? A My father moved to Sequoyah in '69.
Q When did you go there? A '69.
Q Have you lived in Sequoyah district continuously since '69? A Yes.
Q Never lived outside of the Indian Territory? A No, sir.
Q What was your father's name? A Samuel H. Payne.
Q Is he living? A No, sir.
Q Does your father's name appear upon the roll of '80? A I think it does.
Q What is the name of your mother? A Martha A. Payne.
Q Is she living? A Yes.
Q Are you married? A Yes.
Q What is your wife's name? A Belle D. Choate.
Q When were you married to her? A I was married to her twice. My first marriage to her wasin '87.
Q Under what law were you married then? A Under Indian laws. That is I was recognized as an Indian here then.
Q When was your second marriage? A June 14, 1888.
Q Under what law were you married then? A Cherokee law.
Q What was her name when you married her the second time? A Belle D. Payne.
Q What was her father's name? A Sanders Choate.
Q Is he living? A No, sir.
Q Was he a Cherokee citizen by blood? A Yes.
Q What was your wife's mother's name? A Eliza.
Q Is she living? A No, sir.
Q Was she a Cherokee by blood? A Yes.
Q Have you any children under 21 years of age? A Yes, four.
Q What are their names? A Mabel C., 9 years old.
On '96 roll, page 1090, number 1681.
Q Next one? A Howard A., 7 years old.
On '96 roll, page 1090, number 1682.
Q Next one? A Gerald L., 4 years old.
On '96 roll, page 1090, number 1683, Jerald L. Payne.
Q Next one? A Myra L., 2 years old.
Q Have you certificates of birth for this child? A Yes.
Q Are these children alive and living with you at this time in the Cherokee Nation? A Yes.
Q Where were they born? A They were all born in the Nation.
Applicant's wife, Belle, on '80 roll, page 387, number 614, as Choate.
On '96 roll, page 1090, number 1680, as Belle D. Payne.
Q Did you ever apply to the Commission to the Five Civilized Tribes known as the Dawes Commission for citizenship? A Not me directly.
Q Did any one ever apply for you? A Well the case was in my mother's name and she applied for me.
Q Were you rejected or admitted. A The Dawes Commission admitted me.
Q Did the Cherokee Nation take an appeal? A Yes.
Q What did the court do? A I think they rejected me.
Q Then wasn't the case appealed to the Supreme Court of the United States? A Yes.

Q What was the result there? A We were rejected there.
Q Does your name appear upon any of the rolls of the Cherokee Nation?
A I guess it is on the '96 roll.
Applicant on '96 roll, page 1117, number 134.

The name of Houston J. Payne, the applicant, appears upon the census roll of '96. It appears from thetestimony in the record that Houston J. Payne applied to the Commission to the Five Civilized Tribes known as the Dawes Commission, in '96, for citizenship and that said Commission admitted him, but the Cherokee Nation took an appeal to the United States Court and upon appeal of the case before the United States Court, Judge William M. Springer, presiding, the number of said case before said court being 846, and the number of said case being 5324, the judgment of the court reversed the judgment of the Dawes Commission and rejected the said Houston J. Payne. Thereafter the said Houston J. Payne appealed from the decision of the United States Court to the Supreme Court of the United States. The decision of the Supreme Court of the United States sustained the decision of Judge Springer as Judge of the United States Court for the Northern District of the Indian Territory, consequently the application of Houston J. Payne is rejected, the decision of said courts being final as to him.

The name of his wife, Belle D., is found upon the authenticated roll of '80 as Belle D. Choate and on the census roll of '96 as Belle D. Payne. Certificate of marriage is presented by the applicant as to his marriage with the said Belle D. Choate, his first marriage to her being on the 30th day of November, 1887, and his second marriage to her being on the 30th day of June, 1888, marriage certificate being presented and appearing to be in due form. All his children by said Belle D. Choate, his wife, Mabel C., Howard A., and Ceral L., names having been found upon the census roll of '96, therefore the mother of these children and the wife of said Houston J. Payne, Belle D. Payne, will be listed for enrollment by this Commission as a citizen by blood, and the said children will be duly listed for enrollment as citizens by blood, they being duly identified according to page and number as indicated in the testimony. He presents satisfactory proof of birth as to his child, Myra L., two years of age, her name not appearing upon the rolls of '96, she having been born after same were compiled. She will also be duly listed for enrollment by this Commission as a Cherokee citizen by blood.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) Brown McDonald.

Subscribed and sworn to before me this 31st day of August, 1900, at Fort Gibson, I.T.

(Signed) Tams Bixby,

Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Subscribed and sworn to before me this 12th day of October, 1901.

Commissioner.

DEPARTMENT OF
COMMISSION TO THE
FILED
OCT 22 1901

R59

13

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 13 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date AUG 13 1900 1900.

(37) Name Houston C Payne Ft Smith Ark

District Sequoyah Year 1896 Page 1117 No 134

Citizen by blood

Intermarried citizen yes

Married under what law

License

Wife's name

District

Citizen by blood

Intermarried citizen

Married under what law

License

Mother's citizenship

Name Laura C Payne

Date of marriage March 10

Certificate

Year Page No.

Mother's citizenship

Date of marriage

Certificate

Names of Children:

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

T.59

Cherokee R 69

Flint District Ind. Ter.

This is to certify that I, W. H. Reid, Minister of the Presbyterian Church U.S.A. duly authorized by the laws of the Cherokee Nation, did solemnize and join in marriage Mr. Houston J. Payne and Miss Belle D. Choat on the thirtieth day of Nov. A. D. 1887 at the residence of Mr. R. B. Choate in the presence of many witnesses.

Given and witnessed as above date. W. H. Reid Min.
Witnesses.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the certificate on file in this office.

Lillie Mickey

Cherokee R 59

MARRIAGE LICENSE.

CHEROKEE NATION. I. T.

SEQUOYAH DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED TO SOLEMNIZE MARRIAGE-GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. Houston J. Payne, a citizen of the United States and Mrs Belle D. Payne, a citizen of the Cherokee Nation, according to the usual customs and laws of the Cherokee Nation, and you are required to return this license to me for record, within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you.

Given under my hand and seal of Office this
(S E A L) the 13 day of June A.D.1888.

Isaac Jacobs Dept.
Clerk Sequoyah District

Recorded the 20th day of June 1888.

CHEROKEE NATION. I. T.

SEQUOYAH DISTRICT.

I, Louis S. Byrd a Minister of the Gospel do hereby certify that on the 14th day of June 1888 I joined in marriage Mr. Huston J. Payne a citizen of the United Staes and Mrs. Belle D. Payne, a citizen of the Cherokee Nation, agreeable to the authority given in the within license and the customs and laws of the Cherokee Nation.

Given under my hand this the 14th day of June A.D. 1888.
Louis S. Byrd P.C. Salisow
Circuit Ind Miss Cong M.E.C.S.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the license and certificate on file in this office

Ella Mislang

Cherokee R-69.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 15, 1902.

In the matter of the application of Houston J. Payne for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Houston J. Payne.
Q How old are you? A Thirty-nine.
Q What is your postoffice? A Fort Smith, Arkansas.
Q Are you a white man? A I am an Indian by blood I suppose, my mother said so.
Q You have never been recognized as a citizen by blood? A Yes, believe we have been.
Q You are not on the roll as a citizen by blood? A I think about '77 we were recognized as citizens by blood.
Q You are claiming now, however, as a citizen by intermarriage? A Yes sir.
Q What is the name of the wife through whom you claim citizenship?
A Bell D. Sheate.
Q Is she a Cherokee by blood? A Yes sir.
Q How long has she been living in the Cherokee Nation? A She was born and raised here.
Q Has she lived in the Cherokee Nation all her life? A Yes sir.
Q When were you married to her? A I was first married to her in November 30, 1876, and then I was married to her under Cherokee law June 14, 1888.
Q Is she your first wife? A Yes sir.
Q Are you her first husband? A Yes sir.
Q Have you and your wife been living together since '88? A Yes sir.
Q Never been separated? A No sir.
Q Have you been residing and making your home ever since '88 in the Cherokee Nation? A Yes sir, except while I was in Fort Smith a little while sending my children to school.
Q That was your only purpose in going to Fort Smith, was to school your children? A Yes sir.
Q Were you and your wife living together on the first day of last September? A Yes sir.
Q How many children have you? A We had six.
Q How many are living? A Five.
Q All under age are they? A Yes sir.
Q All living at home with you? A Yes sir, the five are.
Q None of the members of your family died in the past two and a half years? A No sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

B. Rothenberger

Subscribed and sworn to before me this 15th day of November, 1902.

B. C. Lee
Notary Public.

NOV 12 1952

The Commission to the Five Civilized Tribes.

In the matter of the application of
Houston J. Payne for the enrollment of himself and his wife
Belle D. Payne, and his minor Children as
Citizens of the Cherokee Nation.

Statement of facts.

The record in this case discloses that:

Houston J. Payne was lawfully married to Belle D. Cheate a citizen by blood of the Cherokee Nation, first as a citizen by blood, and afterwards, to avoid any error, procured a license and they were married according to the laws of the Cherokee Nation regulating the intermarriage of white men.

The names of the applicant, his wife, and children born at the time, appear upon the authenticated roll of 1880, and all of their names appear upon every other roll made during their respective lives.

These two principal applicants have always lived together as husband and wife within the Cherokee Nation, making it their home and the center of their affairs. That they were so living at their home on June 28th, 1898, and it has likewise been their home ever since.

Sometime in 1901, desirous of properly educating their children, and give his family medical attention, a residence was secured for them at Ft. Smith, by the principal applicant

That during all this time and at the present they own and attend to, within the Cherokee Nation, property of every description pertaining to a prosperous Cherokee farmer, including farm, houses, gin, cattle, horses, hogs, chickens, household goods, and he also owns and manages a mercantile business within the Nation. The estimated valum of his property and possession in the Nation is $25,000.

The greater part of his time is taken up in caring for and managing this estate and different business-enterprises, which is under his personal supervision and control. His home in the Nation is furnished and occupied by him a great part of the time.

Houston J. Payne has always voted in the Cherokee Nation, and nowhere else.

He has submitted to the requirements of citizenship within the Cherokee Nation, serving upon juries in the United States Court having jurisidction over the Cherokee Nation, the highest evidence of a man's residence and intention. Has been received as a competent bondsman in cases requiring the same to be residents.

He has refused to take part in the elections in the State of Arkansas.

He has refused to pay the poll tax enacted of the residents of Ft. Smith on the ground that he was a citizen of the Cherokee Nation.

He has refused to sit upon juries summoned from the body of the State of Arkansas, and was excused therefrom on the ground of his being a citizen of the Cherokee Nation.

That he has at all times asserted his citizenship within this Nation, and since his particularity in regard to his marriage into the nation he has been consistent and at no time has he ever intended to forfeit his citizenship, nor take up his domicil in the State of Arkansas, or elsewhere, and the evidence shows the [redacted].

Attached to this is a copy of the brief made by us in the matter of the application of Joseph H. Alexander and family, the facts being similar, and the law is equally applicable to this case. Reference is also made to the brief filed by us in the cases of Gabriel, and Houston Payne, and Jos. H. Alexander jointly.

Respectfully submitted,

W. P. Thompson
Attorneys

The Commission to the Five Civilized Tribes,

In the matter of the application of
Joseph H. Alexander, and family for
enrollment as citizens of the
Cherokee Nation.

Memoranda on behalf of applicants.

The applicant, Joseph H. Alexander, as shown by the evidence was married thirty-five years ago (1868) in the Cherokee Nation to Harry_____, a Cherokee Indian woman, according to the laws of that Nation regulating the intermarriage of white persons.

That immediately after the marriage they made a farm on the public domain of the Cherokee Nation, made it their home, and were duly recognized as members of the Cherokee Tribe of Indians.

Mrs. Alexander died at their home in the Cherokee Nation, in 1881, and thereafter Joseph H. Alexander continued to reside upon, cultivate and improve the farm they had started, and care for his small children, all of whom where born there, and one of whom was Lillian Alexander, an applicant herein.

In 1883, the applicant, Alexander, again married within the Cherokee Nation, Sephronia Duncan, a Cherokee by blood, and a recognized member of the tribe, according to the laws of the Nation regulating the marriage of citizens thereof.

Sometime subsequent to this marriage, but prior to 1896, upon the advice and direction of the family physicians, as shown by the evidence, Mrs. Alexander having become an invalid in the meantime, the applicant had her removed to from their country home to the City of Fort Smith, Arkansas, where she might be under the constant and immediate care of physicians, and enjoy comforts and attention not possible in a rural home in the territory. At the same time he made arrangements for sending his children to school there, and giving them the social advantages obtainable in a city, continuing all the time his business and home in the Nation, as therefore, giving to it his entire time and attention, and prospered, and having no attention or business of any kind in Ft. Smith, or elsewhere outside of the Nation.

Taking an active part in the business and political affairs of the tribe. By thrift and engergy, and close application increasing his holdings and interests therein, at every opportunity exercising the rights of a citizen by participating and voting at its elections, subjected to the duties incident to citizenship by being called as a juror in its courts, and by being enrolled upon all the rolls, including the authenticated roll of 1880, as a duly recognized citizen of the Nation and member of the tribe. Since the advent of Federal jurisdiction in the territory, recognized by the United States Court as a resident and citizen of the Indian Territory, being summoned for jury duty therein, and received as a competent bondsman in cases pending before it. This was the situation on June 28th, 1898, and is the same today, as shown by the evidence on file.

In a brief already on file in this case the legal phases were, we believe fully discussed, and the reasoning therein, we feel confident, convincing; but having some other authorities at hand, we have thought it proper to submit them, with a few remarks, for the careful consideration of the Commission.

All the points, that have usually affected the decision in matters of citizenship, where a man maintained a residence in a different place from where he claimed his home, are, in this case, in the applicant's favor. Aside from a simple residence in the City of Ft. Smith, the applicant has by no act or omission given even a suggestion that he intended to abandon his tribe; and as against that fact he has repeatedly, and at every opportunity, made known that he was a citizen of the Cherokee Nation, and not of the State of Arkansas. Repeatedly he has denied allegience to the latter, and more repeatedly has he asserted rights in and allegiance to the former. While on the one hand not one instance can be shown of any intention or desire on his part to become a citizen of Arkansas there on the other instances may be multiplied showing that he was and always intended to be a citizen of the Cherokee Nation.

It goes without saying, that not merely the family, but the man himself may change his residence without changing his domicil. The only effect being, it then requires, other and different proof,

of intention. As pointed out in the other brief the law of the Cherokee Nation, requires and contemplates more even than a change of domicil, a citizen before he is presumed to abandon his tribal connection must actually expatriate himself.

"The term domicile has a more extensive signification than the term residence/ in addition to residence it embraces within its meaning the intention of making that residence the home of the party.
City of N.Y. v. Genet, 4 Hun. p. 487.

"A citizen may have his residence in one town with the privileges of an inhabitant, and yet have his legal settlement in another."
Putnam v. Johnson, 10 Mass. 488.

"A person may have his domicile at one place and his residence at another."
Briggs v. Rochester, 82 Mass. p. 337.

"A temporary residence does not by operation of law become changed into a domicile by mere lapse of time."
Easterly v. Goodwin, 95 Am. Dec. p. 237.

"Mere residence,or residing within a State, in the naked sense of the word will not constitute domicile. His domicile is either that of his birth or where he establishes his permanent place of residence, and in such case it matters not where hiswife and family may happen to be, for the follow the domicile of the husband."

Green v. Beckwith, 38 Mo. 389.

It is submitted "mere residence in the naked sense of the term" is the most that may be said of Mr. Alexander in going to Ft. Smith, even if he had lived with his family continuously, which he did not, because he did nothing more than have a residence there, exercising all the rights of citizenship in the Nation.

The real inquiry in these matters always is, what was the real intention of the party. That governs above all else. His actions and ~~xxxxxx~~ statements and investigated and explained in answer to that inquiry. Intention, in this sense, is most generally shown by (1) declarations, (2) applicants own residence, (3) where his interests are, and where he is employed, (4) where he exercises political rights, (5) where he exercises ~~xxxx~~ civil rights, (6) acts of public authorities, (7) general presumptions, and the rule of estoppel.

Declarations and acts of the party are admissable to qualify and explain the character of the residence.

See, Tobin v. Walkinshaw, Fed. Cas. 14,070

Ayer & Co. v. Weeks, 4 L.R.A. p. 716.

This rule is clearly stated by Judge Cochran of the Federal Court, in case of Collins v. City of Ashland, 112 Fed. Rep. p. 176, in which he says, that his actions are the best evidence, yet his own testimony and statements are competent, and will be controlling where not inconsistent with his actions or declarations.

Has not Mr. Alexander been consistent from the beginning? Has he at any time or place declared that he intended to become a citizen of the State of Arkansas? Has he by any act or omission failed to make it clear, from 1868 to the present moment, that he was a citizen of the Cherokee Nation? Has he not so declared at the making of every roll, at every election within the Nation, to Judge Bryant at Ft. Smith when summoned as a juror, and while under oath; to the collector of occupation taxes in the same City; as a juror in the United States Court, within this District, and on oath before this Commission on three different occasions. What declarations or acts are there inconsistent with his acts or declarations?. None. The Nation although notified of the hearing presented no proof, and was not represented thereat. He is a man prominently known, as a farmer and gin owner in the southern part of the Cherokee Nation. His life for thirty-five years is familiar to the people of that section. It is known that the representatives of the Nation to be just as stated by him, and as disclosed by the other testimony in the case. He has never had any intention of leaving the Nation, or forfeiting his citizenship. Instead of disposing of his stuff he has been constantly increasing it. The residence in Ft. Smith was for the comfort and pleasure of his family of which he took very little advantage. As stated in the case of Gardner v. Board of Education, 36 S.W. p. 433, it was laudable on his part to desire the advantages of the city for his family, and should not militate against his [illegible] true domicile as shown by the situs of his property and business, coupled with his real intention.

"To effect a change of domicile a new residence must be so gained as permanent as to exclude an existing intention to return to the old one, or to make a domicile elsewhere than at the new place of domicile. City of Hartford v. Champion, 20 Atl. p. 671."

"Whether a man has changed his domicile residence from one state to another so as to have become a citizen of the latter must depend largely upon his intention. The fact that a man owns a farm at one place and continues to vote there tends strongly to show that he is a citizen thereof.
Woodworth v. St. Paul R.R., 18 Fed. p. 282.

"To effect a change of domicile there must be evidence not only of a change of residence, but of an intention to abandon the former domicile."
Plant v. Harrison, 74 N.Y. Sup. p. 411.

Passing to the next point, where has Mr. Alexander's own real domus been during the few years previous, and up to June 28th, 1898. It is uncontradicted that he has been in the Cherokee Nation, at his old home, on the plantation where he began life as a young man boy or near there. He has never given it up as a place of residence. It has never been closed up and the house hold effects removed. It continues as it always was, his principal home. According to his evidence, and the record, he actually slept there the greater part of the time, and on secular days he was to be found there at work, almost without exception. For thirty-five years that has been the actual scene of his activities and the object of his life's work. The residence of his family at Ft. Smith was necessary and desirable, of recent years, but it effected no change in him, nor his affairs.

In this connection, attention is called to the case reported in 20 Ann La. of Sanderson v. Ralston, p. 312, where R. soon after his marriage, moved to a plantation in the parish of C. in Louisiana where he resided for more than a year, when his wife on account of her health moved to Mississippi, and never thereafter returned to Louisiana. R. still remained at C., exercising his rights of citizenship, but also spent a considerable time at the place of residence of his wife in Mississippi. It was held by the Court, that the domicile of R. and his wife was in the State of Louisiana.

Another case similar to this exists in Missouri, where the laws of that State require that Administrators should be residents of the State, and disqualifying all who did not so reside there. Walker, at the time of his father's death, and appointment as Adm. was a resident of St. Louis. In that year he married and for the alleged reason that his wife's health required it, she removed, and after the marriage lived at Council Bluffs Iowa. Walker had large landed possessions in Missouri, and such business. He had returned

since his marriage, principally, with his wife at Council Bluffs, Iowa. The Court, in that case, held, that he did not lose his domicile or residence in Missouri, and in the course of the opinion said. "A person domiciled in Mo. may spend the greater part of the year, or series of years, at another place without thereby forfeit his domicile. He does not forfeit his domicile without an intention definitely formed to abandon his original domicile and take up another, and until this intention appears, either directly or by acts inconsistent with the retention of the old domicile, the presumption of the continuance of the old is not overcome.
Walker v. Walker, 1 Mo. App. p. 404.

In the case of Arnold v. U.S. Fed Cas # 560 is another similar case, where a man, a citizen of the State of Rhode Island subsequently went to Georgia and purchased some property, and thereafter divided his residence between the two States. The Court held that he was a citizen of Rhode Island because he has exercised or claimed no privileges as a citizen of Georgia.

The next point is as to where his interest were and where he was engaged in business. The evidence shows that since 1868 Mr. Alexander has had no business outside of the Cherokee Nation. He began that year with a small farm and by good husbandry and hard work extended his possessions until now he has, within the Nation property real and personal exclusive of the value of their pro rata share exceeding in value $44,000., the usefulness and profit of a great or portion of which is dependant upon his individual management and control. As a further evidence of his intentions in a business way, and that no abandonment of his rights as a citizen was contemplated or thought of, attention is called to the fact that he increased his holdings considerably within the last few years, all in connection with and as a part of his original place. From the beginning he has farmed his own land, ran his own gin, actively and personally controlled and managed his business of every character, giving it his personal presence and exclusive attention. He has no business what ever at Ft. Smith

"Where a party occupies two residences at different periods, that will be deemed to be his domicile which appears to be the center of his affairs."
Thurston v. Thurston, 61 Am. Dec. p. 320
Charlton v. Doherty, 30 Mo. p. 188.

The authorities are uniform that the situs of a man's property

requiring and receiving his personal attention is a matter to be considered in this connection.

Gardner v. Bd. of Ed. 38 N.W., p. 433
Johnston v. Turner, 29 Ark. 240
Woodworth v. St. Paul R.R. 16 Fed. p. 282.

We need hardly cite authorities to show the effect of a man's exercise of the elective franchise as evidence of his intention. While not always controlling, when alone, it is always entitled to the highest consideration.

As stated by the Supreme Court of Wisconsin where it was urged, in Kellogg v. City of Oshkosh, 14 Wis. p. 623:

"The act of voting at a place is the highest evidence of a change of domicile, and of fixing it at such a place." And again in Wolf v. McGovick, 23 Wis. p. 516, where they say:

Evidence of the place where a man votes will be given decisive weight one question of domicile. See also, Wellweiler v. Lutz, 2 Atl. p. 721.

The evidence shows Mr. Alexander always chose the Cherokee Nation as his place to vote, and the records show that he was recognized as a citizen and elector at all tribal elections. He has never voted, or offered to vote in Ft. Smith, or the State of Arkansas.

In the exercise of his civil rights, and in being subjected to his burdens, he has submitted and recognized no other sovereignty than the Cherokee Nation, and the United States Courts having jurisdiction therein. He refused to serve, and was disqualified as a juror in the Circuit Court of Ft. Smith, and refused to pay poll tax there, because he was a citizen of the Cherokee Nation. He has sat on juries and performed the duties of citizenship in the Cherokee Nation, and not elsewhere.

In the case of Arnold v. U.S. supra, it was considered important to note in determining the citizenship, that the party objected to being required to perform jury duty because it compromised his rights as a citizen of the state wherein he claimed his home.

"If a man has two places of residence, that will be deemed his domicil where he votes or exercises the rights and duties of a citizen." Chorlton v. Lings, 30. Eng. p. 210.

Evidence must be considered as to intent when his acts in the

place from which he has moved is competent to show his intention in regard to continuing such place as his permanent domicile."

Chase v. Chase, 29 Atl. 553.

Of course, a refusal to pay in the place to which he had moved, with the proper reason therefor, would be likewise competent.

Acts of public officials. It has already been stated that the Alexanders are upon all the rolls, made during their respective lives. He has been accepted as a Nondsman, and the Chief of the Nation has made a certificate, which is competent, and ought to have persuavive weight, for it is not the desire of any one representing the Nation to see persons entitled to enrollment lose their right any more than it is their purpose of keep persons not so entitled off the roll, and common justice would demand this, and they should be, and are, from all that appears, willing to assist the common in the one way as well as in the other.

"Official acts of public officers recognizing a person as an inhabitant may be received in proof of such inhabitancy.

Inhabitants of West B. v. Ditto of S. 34 Mass. p. 126.

On the last proposition, we start with this declaration of law.

"When the fact of a residence is ascertained, it is to be deemed to continue until there is proof of a change in location, not for some temporary purpose, but with a fixed purpose to remain, and without a present intention to have a home any where else."

Chaine v. Wilson, 14 N.Y.Sup. p. 673.

"Where a person has two places of residence, residing in each a part of each year, that will be deemed to be his domicile where his original domicile was."

Gilman v. Gilman, 83 Am. Dec. p. 502.

There is no evidence whatever upon which one could conclude, it is respectfully submitted, that these Indians ever intended to abandon their home, and the Cherokee Nation, nor withdraw their allegience and forfeit their citizenship therein.

In these citizenship cases, there is reason to carry the rule even further than it could properly be carried where a person moves from one state to another. There is every reason to construe an

Indian's residence in an adjacent state as temporary, for otherwise in changing his citizenship he forfeits a valuable estate and property right inseparable from his citizenship, therefore such a determination should be adjudged only on the clearest proof. The general application of the rule, sufficient however, as applied to the facts of this case, involves nothing more than the capacity of a person as administrator or the jurisdiction of a court in the particular case.

"A change of domicile must be shown by express and positive evidence. So long as any reasonable doubt remains, the legal presumption is against such change.

Gravillion v. Richards, Ex. 13 La 293; 33 Am. Dec. p. 563.

Walker v. Walker, 1 Mo. App. p. 404

Clough v. Knye, 40 Ills. App. p. 234.

The domicile of the Husband controls the domicile of the wife. is axiomatic. The decisions of every State so hold, a few making the exception where separation has occured without her fault. With reference to their living apart, the rule is clearly laid down in Baldwin v. Flagg, 43 N.J. Law p. 495 as follows: "Although the residences of the husband and wife may be at different places or jurisdictions, yet, where they are living together as members of one family, the residence of the husband is deemed that of the wife.

Also, Cone v. Cone, 39 S.E. p. 748.

As to Miss Lillian Alexander, we feel confident, there can be no objection raised as to her. In 1898, she was at College, and upon finishing came back to the Nation, and since that time has been a teacher in the Cherokee Schools. We do not recall the evidence as to when she became of age, but if previous to 1898, she was at College and if thereafter she was in the Cherokee Nation. If before she reached on the domicile of her father, being a citizen by blood herself born and raised here, and temporarily absent at school.

"The domicile of the father is the domicile of the

Grimmitt v. Wichterington, 11 Ark. p. 377,
52 Am. Dec. p. 66

Johnston v. Turner, 29 Ark. 280

Domestically qualified.

R-59

Filed

Dec 8, 1902

Executive Department, Cher. Nation

Tahlequah, Indian Territory.

I hereby certify that I have examined the Election Returns of the Cherokee Nation for the years 1895, 1897, 1899 and 1901 in which years regular or general elections were held in the Cherokee Nation and the name of H.J. Payne appears thereon as a legal voter of said nation and the election returns of the Special Election held in the Cherokee Nation August 7, 1902 shows the name of H.J. Payne thereon as a legal voter and I further certify that such Election Returns are on file in this office and in my legal care.

Given from under my hand and seal of office on this the 20th. day of December 1902.

J. J. Parks.

Executive Secretary, Cherokee Nation.

State of Arkansas

County of Sebastian.

I, L. B. Barry, Sheriff of Sebastian County and Ex-officio Tax Collector, do hereby certify that I have carefully examined the tax books for the year of 1902 now in my possession, and that the name of Houston J. Payne is not listed or enrolled upon the aforesaid tax books as a tax payer or as being liable to poll tax.

L B Barry

Sheriff and ex-officio Tax Collector.

I, L. B. Barry, do hereby certify that I am the Sheriff and Ex Officio Tax Collector of Sebastian County, Arkansas, that I am the legal and proper custodian of the Tax Books for the year 1902, and that the above and foregoing is a true and correct copy of the same.

IN WITNESS WHEREOF I have hereunto set my hand at the City of Fort Smith, Ark., there being the seal of office, this 19th day of December, 1903.

L B Barry

Sheriff and Ex-Officio Tax Collector

Jayne R 59
Governor Payne
et al
for instrument of
Mercantile Obligation

State of Arkansas)
) ss.
County of Sebastian)

I, W. L. Warner, do solemnly swear that I am the Deputy Tax Collector of Sebastian County, Arkansas, that all the tax books for collecting taxes for the year 1902, both real and personal, have been turned over to L. S. Barry, Sheriff of Sebastian County, Ark., and Ex Officio Tax Collector, that the aforesaid books are now in the possession of L. S. Barry as Collector and myself as Deputy Collector; that I have carefully examined the same and that the name of Houston J. Payne is not listed or enrolled upon the aforesaid tax books as a tax payer, or as being liable for poll tax.

W. L. Warner

Subscribed and sworn to before me this 17th day of December, 1902.

Wm. S. Wellborn
Notary Public.

My Commission Expires Feby 3, 1904

Jan 7 1879
Houston & Texas Cent
Application for
Enrollment as
Charitable Corporation

State of Arkansas

County of Sebastian.

I do hereby certify that I am the legal custodian of the Tax Books, both real and personal, as well as the Poll Tax Book; that I have carefully examined the same since 1901, and that there is no entry upon any of the books aforesaid of Houston J. Payne having paid any poll taxes.

That I am also the custodian of the Assessors Books for the Fort Smith District of Sebastian County, Arkansas, and that I have examined said books, and that there is no entry or record thereon that the said Houston J. Payne had been assessed with any poll tax during all of the aforesaid time, and that his name is not listed thereon as a tax payer.

M Reed Co Clerk
By Jos M Clem D.C.

I do hereby certify that the above and foregoing is a true and correct copy of matters and things therein referred to, as shown by the tax books and assessors books of the Fort Smith District of Sebastian County, Arkansas from 1901 to the present time.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal as County Clerk of Sebastian County, Arkansas, this ___day of December, 1902.

M Reed

County Clerk.

By Jos M Clem D.C.

R59

In Re
Enrollment of
Houston Blackwell
as Cherokee Orphan

File

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 30 1902

State of Arkansas

County of Sebastian.

I, James M. Kellcam, being first duly sworn, do upon oath state: I am the family physician of Houston J. Payne, and have been for the last fifteen years. The condition of his family was such that I advised him to move his family to this City in the year 1900, and I had advised the same for several years previous to that, for the summer months especially, and, being insistant that this be done in 1900, Houston J. Payne moved his family to this City. His home in the Cherokee Nation was on a slough, and was very unhealthy, especially in the summer time, and before he moved here under my advice in 1901, different members of his family had to be brought here on account of illness a number of times and had to remain until they would again improve in health. The troubles were mostly malaria caused by the location of their residence. Shortly after Houston J. Payne moved his family here in 1901 he wanted to move them back, in the summer of that year, and also in the summer of this year, but I advised and insisted that he should not do so, as it endangered the health of his wife and children.

While I have known Mr. Houston J. Payne, and since he moved his family here in 1901 I have always known that he claimed his residence and citizenship in the Cherokee Nation.

It is impossible for me to appear in person before the Commission to the Five Civilized Tribes on the 22nd of this month for the reason that my wife is about to be confined. I am perfectly willing to appear before the Commission at any time after my wife is confined. Mr. Houston J. Payne has insisted upon my going with him to appear before the Commission on the 22nd of this month, and as it is impossible for me to do so for the reasons stated I have made this sworn statement

of my knowledge of the matters herein referred to.

James W. Kellum

Subscribed and sworn to before me this 30th day of December, A. D. 1902, at the City of Fort Smith, Ark.

Wm S Wells

Notary Public.

My Commission Expires Feb. 23, 1904.

Cherokee R-59.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December 22, 1902.

In the matter of the application of Houston J. Payne for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

No appearance of Cherokee Nation: Applicant appears by J. M. Hill, W. P. Thompson and W. T. Hutchings.

By Mr. Hutchings: Introduce Section Two of Article One of the Constitution of the Cherokee Nation: "That whenever any citizen shall remove his effects out of the limits of this nation and become a citizen of any other Government all his rights and privileges as a citizen of this nation shall cease."

Houston J. Payne, being sworn and examined, testified as follows:

Commission: What is your name? A Houston J. Payne.
Q How old are you at this time? A Thirty-nine past.
Q What is your postoffice address? A Fort Smith, Arkansas.
Q You are an applicant for enrollment as an intermarried citizen of the Cherokee Nation, are you? A Yes sir.
Q What is your Cherokee wife's name? A Belle D. Payne.
Q What was her maiden name? A Choate.
Q When were you and your wife, Belle D. Payne, married? A We have been married twice.
Q Give them both? A I married November 30, '87.
Q Under United States law? A Yes sir; well, now, I was recognized then as a Cherokee, and then later on in June 14th to the best of my recollection I was married as a white man under Cherokee law.
Q You got out a regular Cherokee license? A Yes sir; that was in '88.
W.T.Hutchings: You complied with the laws of the Cherokee Nation prescribed for the intermarriage of white men and Cherokee women? A Yes sir.
Q You had not done that on the first marriage? A No sir.
Commission: You filed your license on your original application? A Yes sir.
Mr. Hill: Where do you live now? A My family lives at Fort Smith most of the time.
Q Where is your place? A Just across the river in the Indian Territory from Fort Smith.
Q How close is your place to the City of Fort Smith? A My home place is just about two hundred yards southwest of the end of the Missouri Pacific bridge, and the bridge is a half mile.
Q The bridge leads from the Cherokee Nation into Fort Smith? A Yes sir, and into the Choctaw Nation.
Q A few yards between it and the city proper? A Yes sir.
Q How long have you lived at your present place in the Cherokee Nation? A It is nearly two years since I moved to the place that I was now as my residence. Prior to that I was a half mile from the bridge.
Q Still in the Cherokee Nation? A Yes sir.
Q And on the same tract of land? A Virtually the same tract, but not the same section.
Q But partly the same farm? A No, I can't say that because where I lived prior to that was my individual property and where I live now is a partnership.
Q Of whom? A My brother Gabriel Payne. Why the title is in both of us, still each has his part of that tract.
Q And you have your home place on the tract that is owned between you as partners? A Yes sir.

2-Houston J. Payne-

Q Prior to your change your home had been on the place owned by you individually? A Yes sir.
Q That was in the Cherokee Nation? A Yes sir, Sequoyah District.
Q How long have you lived in Sequoyah District? A Since '69: I might say raised there.
Q Have you lived anywhere else than in Sequoyah District? A No sir, that has been my home all my life.
Q When you married and acquired a family of your own where did you live? A On Lee's Creek when I married. About eighteen miles from Fort Smith.
Q Still in Sequoyah District? A Yes sir.
Q That was where you first lived in your married life? A Yes sir.
Q How long did you live on Lee's Creek? A Two years after I was married.
Q That would be '90? A I left there in '90.
Q Where did you go to in '90? A I moved to the house that my brother occupies now, right at the end of the bridge.
Q Opposite Fort Smith? A Yes sir.
Q How long did you live there? A Until January '96, then I moved to my home place, what I call it, a half mile from the end of the bridge west.
Q That what is known as the Payne farm opposite Fort Smith? A Yes sir.
Q You haven't lived anywhere since you left Lee's Creek except the Payne Farm? A Yes sir.
Q You have moved to three different places on the Payne farm? A Yes sir.
Q But have always been in less than a mile of the City of Fort Smith? A I will say a mile. Why I call it my home place I put some very expensive improvements on there.
Q What kind of a house is your home place? A The dwelling house is a six room house: it is built on a farm house, one of the best in the country: I guess it is the best farm house in Sequoyah District, I am satisfied it is. And the barn is even better than the house: the barn cost me over $1000.00 and I absorbed my own lumber for that and everything is well fixed up for convenience: I built it for a home and expected to stay there all the time.
Q What other improvements have you besides your home and your barn you have mentioned? A I have 155 acres in cultivation on that: it is in fine cultivation.
Q Very fine land? A Yes sir: the stumps are all taken out ; I spent a great deal of money on it.
Q You have spent a great deal of money on the land and have it in high cultivation? A Yes sir: I put in a tile ditch on the farm.
Q Have you it under fence? A Yes sir.
Q Kept up the fence? A Yes sir.
Q Good fence? A Yes sir.
Q Have you tenant houses on the place? A Yes sir.
Q How many, do you know? A I have five tenant houses besides.
Q That is on your individual place? A Yes sir.
Q Mr. Payne, describe what improvements you and your brother have on what is known as the Payne Brothers' Farm? A The house that I use for my home: it is a four room house, and I have a barn there: I built the barn in the last two years: that barn cost me about $300.00 and I have some other houses there. I built a chicken house there this summer: that cost me twenty-five dollars: that was the last improvements, only keeping up the fence.

Q What other improvements? A That is about all the improvements.
Q I mean the Payne Brothers' property? A We have where my brother holds out there, where his residence is there, we have three pretty good barns on that place, Gin house, store house, shop, and we have another dwelling house on the place, a scale, two sets of scales, one we use for the gin and one for the potato business.
Q Then your brother's home place is there? A Yes sir.
Q The Missouri Pacific bridge is located on that land is it? A Yes sir.
Q On the west end of it? A Yes sir, that is right.
Q And runs through the Payne Brother's farm? A Yes sir, it makes a curve there.
Q The Railroad Company settled with you and your brother in the condemnation proceedings? A Yes sir, I have part of it in my pocket.
Q You have annual passes, you and your family? A I have, not my family.
Q You and your brother have passes over the bridge to go to town without expense to you? A Yes sir.
Q What year was it you went to the Payne property, in '90? A Yes sir; from Lee's Creek. My last move was in January 1, 1901.
Q Then you lived there continuously either your home or your and your brother 's property until in 1901? A Yes sir.
Q Then you made a change for your family? A Yes sir.
Q What was your reason? A I went to Fort Smith to school my children. My children got large enough to go to school.
Q Did you have any school there? A No sir, we hadn't any schools there.
Q Did you have any other reason to move there at that time? A My children's health was not good, but I didn't take that into much consideration: the schooling was the main cause.
Q Your doctor had advised you to move? A Yes sir, I had some very serious sickness in '99 I believe; it was in '98 or '9; he advised me time and again to take my family out of there, but still I spent so much money on the place that I didn't feel like I could leave, but after the children got large enough to go to school I saw that it was necessary for me to do that.
Q How many children have you? A Five; I have three in school now.
Q In school at Fort Smith? A Yes sir.
Q Since your family has been living in Fort Smith and children going to school where have you been spending your time? A I am in the territory nearly all the time.
Q Tending to the farm? A Yes sir.
Q What business have you had since your family went to Fort Smith? A I farm some directly. I run about forty acres of land then: I had looked after my own place and Payne Brothers' business for some years: I have that to look after. I act as the Manager.
Q Tell what Payne's business is? A It is farming. They own quite a tract of land and the renters have to be looked after. My brother was Manager of the Gin up to August I think 1901: since that I have had the management of the gin: since that he sold out his interest to the son: he give it out.
Q He substituted his son in the gin business ? A Yes sir. I had direct management before my brother did.
Q You have a store business there? A Part of the time, not all the time.
Q That has been Payne Brothers' Store? A It was John H. Payne and Company last: that was my nephew.
Q Prior to that it had been Payne Brothers? A Yes sir.
Q These have been the interests that you have looked after? A Yes sir.
Q Have you any other business interests? A I do quite a credit business there among the men.

Q There, where do you mean? A In the territory; I don't do anything in Fort Smith.
Q Have you any business outside of the territory? A No sir.
Q You have not engaged in no business in Fort Smith? A No sir, no business outside of the territory.
Q How far is the house you live in in the City of Fort Smith from your place of business in the territory? A I am on 16th Street, eighteen blocks I guess from the river; I would judge 1 1/2 miles.
Q About a mile and a half from where you reside to your place of business? A Yes sir.
Q And that would lead you right throughthe business part of the City of Fort Smith? A Yes sir.
Q After you cross the bridge is your place of business? A Yes sir. What I say about running my business, I sell a great deal of corn, hay, mules and anything that way of business.
Q You do that exclusively on your place in the Cherokee Nation? A Yes sir, Sequoyah District.
Q How much have you invested there including what you and your brother own between you not counting the land; I am speaking of the improvements on the land, gin, machinery, etc.? A My home place cost me right at $8000.00. I kept tab on that to see what I squandered on that.
Q Just roughly speaking state the value of each of the improvements you have or have any interest in,-take your gin for instance? A The gin I would judge is worth right at $4000.00.
Q Your mercantile business then? A Only about $1000.00 I guess the stock amounted to when we were in business there.
Q Your shops and other things you have mentioned? A I included the shop with the gin matter.
Q The other improvements on the other farms that we rented I would have to have a little time on figuring on that.
Q I will recall you a little later on that and put in an estimate on this. Now, Mr. Payne, have you exercised any rights as a Cherokee citizen? A I have exercised all the rights that a Cherokee citizen has there.
Q What rights have you exercised? A I have voted. I have not been called on a jury for several years. I have served on the grand jury in the Cherokee Nation Court of Sequoyah District. I was summoned one time here and was sick and couldn't appear.
Q You mean the United States Court at Muskogee? A Yes sir.
Q When did you last vote? A The last vote was the Treaty business in the Cherokee Nation in August, 7th I believe it was.
Q Have you voted continuously in the elections of the Cherokee Nation prior to that time? A Yes sir. I don't remember of ever missing an election. I always voted on every election; if I missed it it has just slipped my memory.
Q Has your status as a voter of that nation been questioned? A No sir.
Q You have always been recognized as a citizen and a voter? A Yes sir.
Q You have been in Fort Smith a good deal, living close there? A Yes sir.
Q Have you exercised any privileges as a citizen of the State of Arkansas? A No sir.
Q Have you paid any poll taxes in the State of Arkansas? A No sir.

Q Have you served on any jury there? A No sir.
Q Have you made yourself active in politics in the state? A No sir, I don't take any stock in politics at all.
Q Have you been importuned by friends to aid them in politics in Arkansas? A Yes sir, they have asked me to and I told them I wasn't interested in that; I was doing my voting on the other side of the river: I was a citizen of the Cherokee Nation and had no right to vote there.
Q You have at all times refused to take part in elections in the State of Arkansas? A Yes sir, Mr. Bryan Berry asked me to help him out as Sheriff.
Q You would have been glad to help him would you as he was a friend of yours? A Yes sir, but I couldn't.
Q Since your family has resided in Fort Smith have you taken any part in public affairs anymore than you did before your family resided there? A No sir.
Q While we are on the question of poll taxes are you familiar with the Arkansas law requiring payment of poll tax as a prerequisite to voting? A No sir, I don't know a thing about the laws of Arkansas; I am green on that.
Q You are not posted as to that fact? A No sir.
Q Since your family has resided in Fort Smith what have you done with your home in the Cherokee Nation? A I have it there. I have a house there. I have an old darkey in charge that takes care of everything. I have cows, chickens, hogs and my horses and my mules. I keep my saddle horse across there.
Q What about your household effects? A We have some household effects in the house.
Q Is your house ready for occupancy for you and your family? A Yes sir, we can move in any time we want to.
Q Nobody else is occupying it? A My old darkey is there. He is custodian.
Q You keep it ready for occupancy at all times? A Yes sir.
Q And can move in at any time? A Yes sir.
Q Probably have to move some of your furniture back? A Yessir.
Q Have you in any way abandoned your residence from the Cherokee Nation since you moved your familyto Fort Smith? A No sir.
Q Have you intended to abandon your residence inthe Cherokee Nation? A No sir.
Q You regard your residence, the residence of your family as for school purposes alone? A Yes sir.
Q Has that been known to your friends and your family? A Yes sir, I think all my friends understand why I went there.
Q You have given it out generally that you were there for the purpose of educating your children and not to change your residence? A No sir, not to change my residence.
Q Have you in any way changed your business methods since your family went to Fort Smith? A No sir, only I am a little lazier than I used to be: I don't get out so early.
Q You don't get up at sun up like you used to? A No sir.
Q You have no business at Fort Smith at all? A No sir.
Q You just sleep over there and go to your farm the next morning? A Yes sir.
Q You are not much further from your business in the Cherokee Nation than many of the residents of Fort Smith are from their business in town? A No sir.
Q You have exercised actual citizenship in the Cherokee Nation since your family went over there just the same as before? A Yes sir.
Q I believe you belong to a Masonic lodge over there are you? A Yes sir, Baldwin Lodge.

6-Houston J. Payne-

Q There is one across the river and one at Fort Smith and you belong in the Indian Territory jurisdiction? A Yes sir, at Muldrow.
Q Are there any other acts of citizenship you have exercised in the Cherokee Nation that you can think of? A No sir, I don't.
Q About your farming machinery, you have all the tools and things of that kind kept on your place? A Yes sir.
Q Nothing of that kind is kept in Fort Smith? A No sir.
Q And you have absolutely nothing in Fort Smith except a place for your family to live? A Yes sir, that is all.
Q You are not interested in any business houses there? A I have some stock in Webber - Ayers Hardware Company.
Q You are not Manager? A No sir, I have nothing to do with the management of it, I am just a stockholder.
Q Have you brought suits in the Cherokee Court or in the United States Court in the Indian Territory either? A I sued a fellow, some parties in Muldrow, not so very long ago.
Q Were you treated as a resident or non resident and required to give bond? A As a resident.
Q All non residents have to give bond when they are sued? A Yes sir.
Q Have you gone on bonds for appearance in courts in the Indian Territory, as sureties etc.? A Yes sir, I went on a little darkey's bond not very long ago. I didn't take much stock in the boy, but the parties that came to me — .
Q We don't care about the case; were you accepted as a resident bondsman? A Yes sir.
Q By the officers of the Indian Territory? A Yes sir, the boy got out all right.

Mr. Hill: We offer in evidence a certificate and affidavit of L. B. Berry, Sheriff and ex officio tax collector of Sebastian County, Arkansas, to the effect that he has examined the tax books and that Houston J. Payne does not appear as a poll tax payer and has never paid poll taxes; affidavit and certificate of W.H. Warner who was Deputy Collector for four years prior to Mr. Berry's term of office, to the same effect. We offer to introduce the certificate of J. T. Parks, Executive Secretary of the Cherokee Nation, to the effect that he has examined the election returns of the Cherokee Nation for years 1899, '00, '99 and 1901, and also of a special election of August 7, 1902, and that said rolls show that Houston H. J. Payne was a legal voter and voted at said elections. We offer an affidavit of Doctor James M. Keller who was unavoidably prevented from being a witness in this case.

Commission: Mr. Payne, you own a residence where you live in Fort Smith? A Yes sir.
Q How long have you owned that place? A I bought it last March.
Q When did your family first go to Fort Smith? A January 1, 1902.
Q Had your wife always lived in the Cherokee Nation with you up until January, 1901, when you went to Fort Smith? A Yes sir.
Q Are you sure about the date they went there? A Yes sir.

Mr. Hill: In regard to your residence there, why did you buy it instead of renting? A I rented when I first went there, but I couldn't get a house suitable that I might be sure how long I could keep it. All residences that are comfortable are mostly all for sale or occupied that I can find, and I thought as soon as I struck an opportunity I thought of a bargain I struck, and as I wanted a house and found a bargain I bought this property.
Q Did you buy it as a bargain? A Yes sir. I thought I was making a good speculation.
Q How much did you think the property was worth? A It was held at $2800.00 before I bought it.
Q How much did you buy it at? A $2500.00.
Q You thought you were making a speculation in it as well as getting a place that would suit you? A Yes sir.

7-Houston J. Payne-

John F. Cooper, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John F. Cooper.
Q What is your postoffice? A My postoffice is Dora, Arkansas, now.
Q You are not a citizen of the Cherokee Nation are you? A No sir.
Q Do you know Mr. Houston J. Payne? A Yes sir.
Q Do you know his wife? A Yes sir.
Q How long have you known them? A I have known them ever since '91., I have known his wife; I have known him since about '89 I reckon.
Mr. Hill: Where have you lived in the last few years? A I have lived on Gabriel Payne's and Payne Brothers' property for the last fourteen years outside of four years during that time.
Q Where have you lived continuously for the last four years? A I have lived on Gabriel Payne's place four years.
Q For the last four years you have known Mr. Houston J. Payne well? A Yes sir.
Q Seen him frequently? A Yes sir.
Q Where has he lived? A He lived up until two years this coming January there in the bottom, on his place for the last four years.
Q You mean in the bottoms of Sequoyah District, Cherokee Nation? A Yes sir.
Q Did he have his business there? A Yes sir.
Q His family there? A Yes sir.
Q When his family moved over to Fort Smith in January bearly two years ago, did Mr. Payne make any change in his business? A No sir.
Q What condition did he leave his house in? A You mean the house he moved from?
Q Yes. A That's his home place he moved from then. He moved a lot of his plunder from his old home place to his other, what he called his home place, and left it there, his chickens and turkeys and everything there.
Q And his household effects there? A Yes sir.
Q Has he kept his house there since that time? A Yes sir, with his household effects.
Q On his, Payne Brothers' Place? A Yes sir, I understood on hi part of it.
Q Where has Mr. Payne been keeping himself since his family went over to Fort Smith? A He goes over to Fort Smith at evenings and the next day he comes back. He is on the farm side nearly every day, when I see him there he is there; I aint there every day.
Q Has he any business anywhere else except in Sequoyah District? A Not that I know of.
Q Do you know any reason for his moving over to Fort Smith? A He has told me for the purpose of schooling his children.
Q Did you have any talk with him about his house he bought before he bought it? A He was telling me his idea was forbuying was because it would always be saleable if he ever wanted to sell it.
Q That was before he bought it? A Yes sir.
Q When you have any business to transact with Mr. Payne where do you go to find him? A Sometimes I find him in town, but we always do our business on the Cherokee side; we always do our business on this side.
Q He never transacts any business over in the state at all? A Never with me.
Q You have a good deal of business with him? A For the last two months I have had a good deal of business with him. I worked on the Gabriel Payne place, but I frequently worked for Houston Payne, worked for both of them.

8-Houston J. Payne-

Q Don't you do a good deal of collecting for Mr. Houston Payne?
A Yes sir.
Q Where are his collections? A All of them in the Cherokee Nation. I have some accounts of his now in my pocket.
Commission: Where have Mr. Payne and his wife lived since you first have known them? A When I first knew Mr. Payne himself he was on Lee's Creek and I was in the bottom. I knew him when he come backward and forward, when they moved from Lee's Creek in '90 or '91; they lived within a half mile of the same place all the time in the Cherokee Nation. They have lived you might say in three different houses.
Q His family don't live on the farm now? A No sir, not now. I mean up until they moved in town.
Q Do you know when his family moved to Fort Smith? A Yes sir.
Q When? A They moved right about the first of January, 19 —— it is two years this next January.
Mr. Thompson? That would be 1901 then? A Yes sir.

M.C. Wallace, being sworn and examined, testified as follows:
By Mr. Hill: State your name? A M. C. Wallace.
Q Residence? A Fort Smith.
Q How long have you lived at Fort Smith? A About fifty-three years it has been my home.
Q Do you know Houston J. and Gabriel L. Payne? A Yes sir.
Q How long have you known them? A I have known those boys commercially since '78 I think, or '9.
Q Where have they been living since-I will say for the last ten years ? A Well, I understood their home was in the nation; they resided on this side of the river until they started their children to school.
Q Where have they transacted their business? A Why I suppose at home in the nation.
Q What business have they been engaged in? A Farming, and they were at one time in the mercantile business; they had a store over there.
Q You mean in the nation across the river from Fort Smith? A Yes sir, on the old Payne stand, the old homestead place.
Q Have you known them well and intimately in the last ten years? A Yes sir.
Q Do you know where they have claimed their residence and citizenship? A Yes sir.
Q Where have they claimed their residence and citizenship? A Cherokee Nation.
Q Do you know whether they have exercised any act of citizenship in the State of Arkansas? A n Yes, I believe I do.
Q What do you know about that? A They have not.
Q How do you know they have not? A Well, in our primary elections there I have taken quite a lot of interest in the elections: on two or three occasions where we had close calls I called on the boys yto assist me and they refused.
Q On what ground? A They weren't citizens.
Q They were friends of yours and you felt like calling on them if they had the right to citizenship? A Yes sir, if they could have they would have.
Q You were a candidate yourself for office? A Yes sir.
Q What office was it? A Treasurer.
Q Did you appeal to them to vote for you? A No sir.
Q But you had on other occasions? A Yes sir, I was in the Council afterwards twice.
Q You have been more or less active in politics for a number of years? A Yes sir, for my friends.

Q You were generally around when primaries were on? A Yes sir; if I had a friend I would take off my coat and go to work; on a couple of occasions I called on the Payne boys to help me.
Q And they explained to you that they would not take part on account of not having citizenship there? A Yes sir, I knew that; at least I thought that was the reason. I thought it wouldn't make any difference at our primaries, but it would have. We had some form of law that would have required ——.
Q You are familiar with the Arkansas election law to the extent to know what the qualifications of a voter are? A Yes sir, very near.
Q State what they are? A A man has to pay poll tax before he can vote at our primaries. The precincts are legalized.
Q They are legalized and have the same qualifications as required by a voter in a general election? A Yes sir, he must be a poll tax payer.
Q And must have been assessed and paid a poll tax before he is entitled to vote and have lived there a certain length of time? A Yes sir; I think it is six months or a year in the state, six months in the county and three months in the precinct.
Q Thirty days? A Yes, thirty days in the precinct.

Commission: It is ordered that copies of the testimony of this last witness, M. C. Wallace, be filed and made a part of the record in the matter of the application of Gabriel L. Payne, R-61.

Houston J. Payne recalled and examined by Mr. Hill:

Q Mr. Payne, can you make an estimate of the improvements on your individual property and that of Payne Brothers that we referred to this morning? A Yes sir, I can come near it, as near as I can come to it. My holdings there amount to, individual holdings, about $8200.00.
Q Of what does that consist? A Of houses and clearings of land, fences:- houses fences and land clearings.
Q Not including the estimates of land values itself? A No sir.
Q Just the improvements on the land? A Yes sir.
Q Now the Payne Brothers? A The Payne Brothers amounts to $21850.00.
Q Give that by items as near as you can? A We have one farm there of 155 acres in cultivation, improvements and all that are considered worth about $3500.00; then the one hundred acres, $2000.00; another one of fifty acres that has heavy improvements on it.
Q Specify that? A Houses principally.
Q Is that where the gin is? A Yes sir. $3500.00; one place of 125 acres, $3000.00; one place of 12 acres that is a very small place,it has houses on it, we occupied it as other places, $250.00; and 114 acres, $3000.00; eighty acres, $2500.00; seventy acres, $1800.00; sixty acres, $1500.00; twenty-five acres, $800.00.
Q That makes the total you have refferred to? A Yes sir.
Q As I understand you that is all exclusive of any land values? A Yes sir.
Q And is entirely confined to improvements on the land owned by you and your brother? A Yes sir.

———————

10-Houston J. Payne-

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

R. Fitzhugh

Subscribed and sworn to before me this 23rd day of December, 1902.

S. R. Mackinnon

Notary Public.

To the Commission to the Five Civilized Tribes.

In the matter of the application of
Houston J. Payne, for the enrollment
of himself, his wife and children, as
citizens of the Cherokee Nation.

ri fi ed, the facts are:

. has lived practically all his life in the Cherokee
, married there a Cherokee by blood according to the
Cherokee Nation relating to the intermarriage of
. He has continuously lived in the Cherokee Nation,
for a few years in the City of Fort Smith, with his family,
from 1890 until January 1901, when he moved his family across
Arkansas River to the City of Fort Smith for school privil-
for the children in the schools of Fort Smith,
the advice of his physician to take his children
from the climate in the Cherokee Nation on account of
malarial troubles from which they were suffering. He took his
family to the City of Fort Smith on said date, January, 1901,
for the purpose and sent his children to school. He continued
to live in said City of Fort Smith in different houses until March, 1902, when
he purchased a desirable residence at a bar-
gain, which he now occupies.
This action, for over a year, he found great difficulty
in obtaining a suitable house. All houses that are suitable
for sale, are not for lease, except at the risk of terminating
lease at sale. This is the reason that he felt he should
have a suitable residence for his family by purchase, instead
of the uncertain system of renting from month to month, which would

have to have his children in school nine months in the year. He has three children in the schools in Fort Smith, none of there are no schools within twelve miles of him in the Cherokee Nation. His house in Fort Smith is a mile and a half from his farm in the Cherokee Nation.

All of his family have been in Fort Smith but he has spent his nights there, returning to his farm every morning and spending his days there. He has kept his home in the Cherokee Nation ready for occupancy at all times. He left part of his furniture there, and all of his domestic animals, and has been daily at his Cherokee home, making his headquarters there, and from it overseeing his farm, and his mercantile business, which were all carried on at his farm opposite Fort Smith.

He has continuously voted, and exercised other acts of citizenship and residence in the Cherokee Nation, from his majority to the present time, his last vote being at the special election in August, 1902, and has at all times been recognized as a citizen of the Cherokee Nation in the Tribal courts, and in the United States Court in Indian Territory, being accepted as a bonesman therein.

He has done no business in Arkansas, has never voted there, never participated in its politics, never gone into its primaries to resist friends, although frequently requested so to do, has never served on juries in Arkansas, nor has never been assessed for, nor paid, any poll tax in the State of Arkansas.

No question is raised as to his rights, and those of his family, up to January 1, 1901, and the sole question is whether the removal of his family from the farm in the Cherokee Nation to the City of Fort Smith, for the purpose of educating his children and for the benefit of their health, has operated as an abandonment of his acquired, and his family's inherited, rights

in the Cherokee Nation.

His testimony is positive that he has not abandoned, nor intended to abandon, his home in the Cherokee Nation, that all his interests, which are very large, are all there, and he has not acquired any status elsewhere. He has built him a handsome residence in the Cherokee Nation, retained it there during all of this time in a state of habitation for his family, partially furnished, and surrounded by all the domestic animals which usually attend a home. Does this mere act of purchasing a residence in Fort Smith, and keeping his wife and children there for the purpose of sending his children to the schools there, forfeit his right and the rights of his wife and children?

A text writer on the subject of domiciles says:

"The mere fact of ownership of a house or other real estate at a particular place is of little importance, but the manner of and the circumstances attending the acquiring or disposing of it, the treatment of it, and, in some cases, the failure to get rid of it, serve to some extent to let us into the mind of the owner."

Jacobs on the Law of Domicile, Sec. 417.

The circumstances here show the house was acquired because a suitable home should not be rented, and the one purchased was readily salable, and was purchased at a bargain. Hence, any inference which might otherwise be drawn from his acquisition, that it was intended as a permanent home is fully [illegible] by this evidence.

This writer proceeds:

"When the question is as to the abandonment of the domicile of origin, the ownership and retention of real estate there--particularly a dwelling house, however acquired-- is of some value, in as much as it is another tie by which the person is bound to the home of his youth, and to that extent strengthens the presumption of non-abandonment."

Jacobs on the Law of Domicile, Sec. 417.

The retention of the dwelling and its improvement, and the continued improvement of the lands in the Cherokee Nation, show that the tie to the original domicile was daily being strengthened, which evidenced stronger than words the intention to return to the

same and not to abandon it.

Mr. Justice Swayne, for the Supreme Court of the United States, said:

"Where a change of domicile is alleged, the burden of proving it rests upon the person making the allegation.....To constitute the new domicile two things are indispensable: 1st. residence in the new locality, 2nd, the intention to remain there. The change cannot be made except facto et animo. Both are alike necessary--either without the other is insufficient--mere absence from a fixed home, however long continued, cannot work the change. There must be the animus to change the prior domicile for another. Until the new one is acquired the old one remains."

Mitchell v. United States, 21 Wallace, 350.
Law Edition, p. 554.

Applying these principles to the facts it is found that one of the two essentials is conspicuous by its absence. The intention to remain in Fort Smith is refuted by the testimony of Mr. Payne and the salient facts all corroborate him. He could not vote for his friends in Arkansas. He told Cooper, before he bought his home, that he was buying it because it would always be salable. He has acquired no other fraternal or political ties in Fort Smith, and he daily wends his way to his Cherokee home, there to transact his business. Under this rule clearly he has not changed his domicile.

The Cherokee Constitution fixes the method and the only method by which Cherokee rights can be abandoned, and its rule is even more favorable to Mr. Payne than the general rule announced by the Supreme Court of the United States.

Sec. 2, Art. 1 of the constitution, provides:

"Whenever any citizen shall remove, with his effects, out of the limits of this Nation, and becomes a citizen of any other Government, all his rights and privileges as a citizen of this Nation shall cease."

The facts show Mr. Payne did not move his effects, nor a material part thereof, out of the Nation. This alone would prevent an abandonment as worked in this case. But, even if he has

removed all of his effects, it would not have operated as an abandonment, unless he had become a citizen of another Government. This clause of the Constitution provides that two things must occur, the removal of himself and his effects, and the acquisition of citizenship elsewhere.

The evidence is undisputed and indisputable that Mr. Payne has absolutely refused to acquire any citizenship within the State of Arkansas, and has continuously, and without question, exercised all of his rights as a citizen of the Cherokee Nation, and been recognized by the Nation as a resident citizen of it.

It is respectfully submitted that under any view of the case Mr. Payne and his family are entitled to enrollment.

Allen B. Briggsland

Attorneys for applicants.

In the Matter of
the Application of
F. Wentz & J. Payne
for the Enrollment of
himself, his Wife and
Children as Citizens
of the Cherokee
Nation

Brief

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 31 1902

Hill & Bridgford

Cherokee R 59.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Houston J. Payne as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on August 13, 1900, Houston J. Payne appeared before the Commission at Muldrow, Indian Territory, and made personal application for the enrollment of himself, among others, as a citizen by intermarriage of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on October 15, and December 22, 1902.

The evidence shows that the applicant, a white man, was lawfully married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on June 14, 1888, to Belle D. Payne, nee Choate, a native Cherokee; that they have resided together as husband and wife continuously from the date of said marriage up to and including September 1, 1902.

The evidence further shows that Belle D. Payne is identified on the 1880 authenticated Cherokee roll and that the applicant is identified on the 1896 Cherokee census roll.

From the records of this Commission it appears that the said Houston J. Payne, among others, filed his original application, under the Act of Congress approved June 10, 1896 (29 Stats.,321), with the Commission to the Five Civilized Tribes for admission as a citizen by blood of the Cherokee Nation and that he was so admitted by said Commission. Appeal from such decision was taken by the Cherokee Nation to the United States Court for the Northern District of Indian Territory, where the judgment of the Commission was reversed; and on appeal taken from said court to the Supreme Court of the United States the judgment denying said application of Houston J. Payne was affirmed. The evidence further shows that the applicant has resided in the Cherokee Nation continuously from 1869 up to 1901.

It is the opinion of this Commission that the right of Houston J. Payne to enrollment as an intermarried Cherokee is not prejudiced by the denial of his application for admission as a citizen by blood, under the provisions of said Act of June 10, 1896 (29 Stats.,321), and that the said Houston J. Payne should, therefore, be enrolled as a citizen by intermarriage of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Dated at Muskogee, Indian Territory,

this FEB -2 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW That prior to October 31, 1902, applications were received by the Commissioner to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whitenhunt	350
Sarah E. McCay	21	Talman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	46	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	588
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Mesner	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	783
Thomas N. Wilson	185	William Gordon	798
Ulne Ann Smith	206	Maggie Patterson	804
Susan M. Perry	206	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Freshiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	253	William H. Benson	867

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	10129
Susan Ballard	10165
Lucy Eva Simmons	10173
Ellen Thornton	10189
Sarah E. Hair	10190
Norman S. Drake	10192
Susan Hogg	10194
David L. Scott	10199
James C. Taylor	10210
Roxie Shepard	10226
Robert G. Elgin	10236
William Hall	10237
Mary Ella Lattimore	10240
Maggie J. Keys	10249
Joseph M. Cofrell	10277
Jane Ratley	10295
George E. Norton	10298
Mahala D. Thompson	10297
Charles M. Trammel	10268
Flora Carlile	10265
William H. Norrid	10275
Olivia Benge	10276
Dollie Wilson	10278
Moses Bell	10279
Sarah Fleetwood	10280
Rosa E. Fargo	10299
William M. Oliver	10333
Andrew J. Couch	10340
Lina Hyles	10347
Mary M. Miller	10350
Mary E. Taylor	10408
Polly Ann Benge	10409
Margaret Moten	10405
Minnie McKinney	10410
Nettie Seabolt	10426
Lawrence G. Faulkner	10433
Sarah A. Holt	10449
Jennette Polecat	10462
Ellen Seabolt	10508
Charles W. Nettles	10509
Lena Sittingdown	10511
Tim Creeden	10513
Odie Pidcock	10517
Silas A. Saterfield	10519
Laura J. Jeremiah	10520
Etta Hicks	10540
Mary A. B. McKinney	10550

Millie Morton	1554
Andrew Walkers	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas B. Bonham	1644
Clemence Hendrick	1663
Bonny R. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Dena Timmons	1726
Geeo Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Vanbomough	1796
Lillie M. Dunsler	1802
Benjam C. Eedington	1804
Walter A. Maxwell	1808
Richard Dukes	1811
Jimmie Pierce	1816
Genevieve Pool	1817
Millie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Lew Adair	1913
Benjamin Irving	1920
Bird Heppard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Henry A. Coleman	2040
James R. Whitehead	2110
Hiram Stephens	2157
Ann L. Guinn	2159
Katherine J. Ewing	2172
Thomas J. Morales	2192
Julia Cowdy	2215
Sarah Crenshfield	2224
Henry E. Lee	2251
Sarah Gentis	2256
John A. Maddox	2261
Henry C. Pennel	2271
Matilda S. Chilcoat	2302
Dora A. Frazier	2312
Launa B. Cowdry	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Elisa O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3101
Anna B. Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252

William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Willie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Husley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Otis Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Pigrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peck	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Daisey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5796
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5820

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Juha Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6280
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Wingert	6376
Ida R. Williamson	6383
George A. McBride	6385
Matilda Goodeson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6405
Fanny N. Witt	6413
Lillie M. Adair	6420
Mark F. Matheson	6426
Ida L. Wilson	6431
George E. Mayes	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Isaacson	6450
Sarah Adair	6452
Ida F. Wilson	6456
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Frazenmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Bailey	6520
Mellie Mayfield	6530
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almera Cauley	6560
James McSommes	6564
Fannie Carlile	6578
Nadie A. Mayfield	6580
Silas A. Bryan	6594
William S. Martin	6595
Emma J. Thompson	6599
Lydia McClintock	6603
David W. Lamb	6605
Gus R. Hart	6608
Pena Phillips	6622
Lois E. Daniel	6626
William W. Turner	6660
Lillie B. Blackstone	6704
Mary Lillard	6716
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosa B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Luenda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rudy Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Kate E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rose B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Conley	7113
Benjamin Hamer	7119

James Maher	7128
Terry A Parkerson	7146
Cora L Hanks	7147
Otto J Zeltil	7149
Rufus M Norman	7155
Mary L Foreman	7158
Alma West	7159
James M Gonzalez	7161
Francis M Crowell	7163
Fannie E Medlare	7171
Benjamin B Graham	7176
Ada Pharris	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Sheltz	7210
Hester A Miller	7212
Minnie B Edmonson	7215
Eliza Jostar	7217
William L Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhoscar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James L Good	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Kinsey Hagemeier	7378
Sarah J Johnson	7394
William I Branan	7400
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Bertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7498
Charles D Ingland	7512
May Cochran	7544
Rebecca Oglesby	7549

Robert B Collins	7556
Nancy I Brown	7579
Mary B Walkingstick	7645
Robert T Ikelleam	7653
Mollie Morton	7705
Mattie Garry	9006
Mack Alfred	9015
Ida Harmon	9036
Ida McCoy	9417
Rosie Foreman	9418
Annie Jackson	9434
Margaret T Langley	9442
Ida M Davis	9586
Nora Crapo	9599
Margaret Harmon	9625
Mary B Langley	9638
Ella Gravitt	9639
William M Wilson	9644
David O Scott	9646
Harriett Forbes	9647
John Carver	9648
Thomas J Davis	9651
Clara M Boudinot	9652
Mary E Keys	9654
John G Ainsworth	9656
Mary J Christy	9660
Malinda Seaton	9662
Mary Cumpton	9664
Mollie P Mulkey	9665
Andrew Brimmer	9667
James F Flippin	9671
William Bird	9673
Mollie C Forbes	9676
William H Thomason	9679
Mollie Devine	9681
Mary P. Gushee	9683
Esther K. Lauderbur	9685
Nannie Cowart	9685
Leona Catcher	9689
Alexander B Clapp	9692
Tennie Sanders	9693
Virgil A Wiltshire	9695
Joshua K Carr	9696
Herbert Knoeland	9698
Hugh E Hope	9699
Thomas J Ritter	9702
Martha Baldridge	9709
James R Poindexter	9705
Maud Foreman	9709
Belle Bryant	9709

Joseph P Smith	9560
George E. Watkins	9562
Florence Henry	9563
Jesse H Johnson	9569
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9564
Joel D Smith	9565
William T Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nanworthy	9589
Beverly L. Lafon	9587
Robert L. Gentry	9589
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Nate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9655
Phoney Pourboy	9660
Charley Kiper	9671
Andrew J Sauder	9672
William T Barton	9684
Daniel Crail	9770
Mary M Motte	9771
Lora E. Herrin	9854
Gaulen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9860
Seaopta C Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875

William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9906
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hall	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9949
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10006
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setser	10021
Amanda E. Howell	10022
Minnie J. Rogers	10023
Nannie Rogers	10024

James B Bradshaw	100025	Willie A Carnes	10113
Ida L White	100026	Lucy E Roberts	10114
Addie B Miller	100027	Edward H Fitzgerald	10115
William R Condry	100028	Ann T Pickard	10117
James D Canary	100029	Charles Rains	10118
John Kelley	100031	Nancy Mayfield	10123
Kate Craig	100032	Anna B Tittle	10124
John A Butts	100034	Richard A Clark	10126
John J Dameron	100035	Emma B Martin	10128
William Warner	100036	Walter L Bates	10129
George A Allen	100037	Nettie Brewer	10130
Watie Sheeley	100038	William Heffernan	10131
John E Carter	100039	Levi Ackley	10132
John M Boyd	100043	Bessie Davis	10133
William Fister	100047	Eva Brackett	10135
Darius B Troth	100049	Calvin Carnes	10136
Harry A Kelley	100050	Jackson M Waybourn	10138
Mary E Purcell	100051	Minnie Shutt	10139
Myron L Bronson	100052	Charles L McClure	10140
George W Taylor	100053	William W Russell	10141
Josie Lowther	100054	Dora Jenkins	10142
Fannie D Perry	100055	John A Hood	10143
Minnie B Williams	100056	Lydia Mayfield	10145
Solomon Copeland	100058	Mary L Cloud	10146
Etha B Wood	100059	Carrie Inlow	10147
James Pace	100060	Everett W Lowrence	10148
Wiley B McElhaney	100062	Dora E Hays	10150
Nancy Patrick	100063	Julia M Schrimsher	10151
James R Stout	100072	Permelia E Lyman	10153
George Parker	100073	Charles F Trickey	10161
Laura Morton	100074	Louisa J Palmour	10169
John D Kelly	100075	George L Walker	10170
Nettie Swift	100078	Annie Taylor	10171
Maggie Baldridge	100079	Jesse Winters Hall	10174
David R Stubblefield	100080	Silver Nichols	10181
Thomas J C Thompson	100081	Lonnie Day	10182
Cora P Harlan	100082	Emma Murray	10186
William L Singleton	100085	Annie Winston	10187
Lester Evans	100086	Minnie Evans	10188
Ellen Mayfield	100087	Elizabeth J McClain	10192
Ella Bray	100088	Eliza J Price	10199
David J Matthews	100094	Rosie Still	10200
Thomas Brown	100099	Hannah E Langley	10201
Houston J Payne	100102	Nina Keith	10203
Malinda E Scudder	100104	Flora A Terrill	10204
Henry Odell	100105	Telesphore A Paradee	10205
Fred Macy	100107	Samuel Shadix	10206
Mary Russell	100108	Mary E Clubine	10207
Thomas B Brown	100109	Robert M Hamilton	10208
Samuel L Mulligan	100111	John Billingsley	10209

Nancie Martin		10210	Joseph Reed	D	468
Sarah A. Fields		10214	Adolphus J. Hallum	D	483
Susie Henderson		10216	Alexander Walker	D	490
Charles H. Rienhardt		10218	Albert J. High	D	491
William H. Watkins		10221	America Matoy	D	501
Frank M. Rucker		10222	Moses L. Grazier	D	503
Henry C. Reed		10224	Myrtle Hall	D	509
Laura B. Timberlake		10226	Wallace Thursday	D	544
George A. Brown		10228	Thomas W. Baker	D	546
Drucilla Lowrey		10232	Mattie E. Keys	D	559
Almira Mouse	D	9	William S. Edwards	D	560
Lenora Prather	D	16	Susan L. Reed	D	572
Andrew M. Cooter	D	17	William H. Lyman	D	574
Martin L. Stokes	D	28	Gracia Davis	D	577
Peter Walters	D	44	Edward C. Bolen	D	582
Columbus M. Reeves	D	58	Dora Guthrie	D	585
Sarah Barnes	D	103	Samuel H. Hawkins	D	594
George T. Kiddy	D	108	Lula M. Purcell	D	600
Henry C. Agent	D	139	Ben Estes	D	603
Joseph Phipps	D	147	Thomas M. Reynolds	D	621
Henry Hilton	D	149	Arthur Dodge	D	622
David A. McGlamery	D	161	Carrie L. McNair	D	624
Maggie Doublehead	D	169	Constantine N. Walker	D	641
Annie Lovett	D	180	Joseph Davis	D	648
Nora Hood	D	184	Leander A. Keys	D	650
John A. Johnson	D	232	James J. Barndollar	D	655
Nathaniel G. Simpson	D	242	Nathan J. Brink	D	682
Oneico W. Head	D	244	William S. Miles	D	688
Etta Taylor	D	245	Emma Waybourn	D	698
Susan V. Sullivan	D	262	Dora E. Rogers	D	708
Levi H. Tackett	D	263	James W. Turley	D	709
William H. Connelley	D	264	Lizzie Ward	D	711
Julia A. Sullivan	D	284	Robert J. Holly	D	713
May Fields	D	297	Belle I. Quinton	D	728
Katie Hummingbird	D	308	Francis M. Boothe	D	734
William F. Sager	D	320	Amos W. Lord	D	746
Lovick P. Garrison	D	334	Agnes N. Childers	D	749
Henry Grubb	D	338	John E. Renfrow	D	752
Lucy F. Lacey	D	340	William Coon	D	759
Callie Blevins	D	341	Louis Bruere	D	779
James S. Alfrey	D	355	Georgia A. Waybourn	D	786
Shadrack C. Wallen	D	368	Eliza Fields	D	787
Ada Hall	D	376	William H. Brown	D	788
Jane M. Hicks	D	396	William A. Cox	D	793
Fannie L. Dupree	D	403	Charles A. Robison	D	799
Willis Battles, Jr.	D	404	Artha Williams	D	809
Joshua W. Ellis	D	413	Adam Gearhart	D	826
Nina B. Owen	D	450	Cleave F. Rogers	D	855
John M. Ridenour	D	458	Annie Garrett	D	856
Emery S. Thompson	D	494	George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. L. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mount	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crate	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquatt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2680
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Rinhard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKennie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauwenecie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Eddie Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2896
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2961
Francis Duval	D	2964
Wade S. Hayes	D	2967
James A. Hankins	D	2968
Joseph Hardee	D	2981
Tennie Horn	D	2982
Eveline Hall	D	2983
John E. Leftwich	D	2985
Mattie Henson	D	2984
John D. Colvard	D	2988
Charles W. Phillips	D	2989
Sarah Shanks	D	3000
Nettie Young	D	3001
Jerry P. Ables	D	3048
Almedie Ross	D	3062
John S. J. Fowler	D	3065
Leaner Head	D	3066
James D. Jackson	D	3067
Emma G. Nelson	D	3068
Alice Simco	D	3069
George O. Wallace	D	3070
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	[illegible]	Della Baldridge	R	105
Horace Gray [illegible]	D	[illegible]	Samuel Bixby	R	107
Lula Pack	D	[illegible]	Malissa Fields	R	144
Lelia C. Harris	D	[illegible]	Fred Zimmerman	R	220
Thomas Jones	D	[illegible]	Ella Anspach	R	241
Benjamin Laws	D	[illegible]	Mitchell R. Miner	R	266
Martha Spade	D	[illegible]	Belle A. Powell	R	352
Julian Wyrick	D	[illegible]	Austin L. Hill	R	420
Samuel Harlan	D	[illegible]	Mary L. Dudley	R	439
Lizzie Pharies	D	[illegible]	Stephen Hazlett	R	465
Jack Michael	D	[illegible]	Mary A. Payne	R	494
Sarah E. Davis	D	[illegible]	Robinson Benge	R	562
Grace Guthrie	D	[illegible]	Sarah Wilson	R	613
Mary E. Thornton	D	[illegible]	Dora Glass	R	628
Mamie Thompson	R	4	Andrew Streil	R	642
Jimmie G. Thompson	R	5	John Streil	R	642
William T. Kelly	R	110	Hallie May Wilson	R	643
Alice Tidwell	R	119	Ollie A. Berger	R	656
Rosenna McLaughlin	R	481	Ida Hawkins	R	671
Martha A. Perdue	R	465	Lizzie Davis	R	761
Gabriel L. Payne	R	481	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Goodrich Red Bird, et al., vs. the United States, Nos. 195, 196, 197 and 198, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907

Muskogee, Indian Territory, February 27, 1902.

Mr. Houston J. Payne.

Fort Smith, Arkansas.

Sir:

Upon an examination had in the matter of your application for enrollment as a citizen of the Cherokee Nation, it appears that you have failed to supply the Commission with a certificate of your marriage in accordance with the laws of the Cherokee Nation.

You are requested to furnish the Commission with the same at your earliest convenience. You are also reminded that a prompt compliance with this request will expedite the final determination of your case.

Yours truly,

Commissioner in Charge

In answering refer to
Cherub c R No 90.
Register.

Cherokee 2-16

Muskogee, Indian Territory, March 7, 1902.

Mr. Houston J. Payne,

Fort Smith, Arkansas.

Dear Sirs:

The Commission is in receipt of your letter of March 3, in the matter of your application for enrollment as citizen of the Cherokee Nation, stating that you have heretofore filed your marriage license and certificate showing your marriage to Belle D. Payne.

In reply, you are advised that this marriage license and certificate is filed with the application for the enrollment of your wife and children.

It will not, therefore, be necessary for you to supply the Commission with an additional copy of same.

Commissioner in Charge.

Cherokee 1321,
Cherokee R-99.

Muskogee, Indian Territory, November 19, 1902.

Houston J. Payne,

Fort Smith, Arkansas.

Dear Sir:-

You are hereby advised that, before the Commission can finally determine the rights of yourself, your wife, Belle D. Payne, and your children to be enrolled as citizens of the Cherokee Nation, it will be necessary for you to give further testimony as to the residence of yourself and family in the Cherokee Nation.

You are now notified that on December 8, 1902, your application, for the enrollment of yourself and family, will be taken up for consideration by the Commission at its offices at Muskogee, Indian Territory, and on that date you should appear and introduce the testimony as above indicated.

Respectfully,

Commissioner in Charge.

Cherokee D-69

Muskogee, Indian Territory, November 19, 1902.

Hill & Brizzolara,

Attorneys for Houston J. Payne,

Fort Smith, Arkansas.

Gentlemen:-

There is enclosed you herewith a copy of a letter this day written Houston J. Payne, notifying him that further testimony is required in the matter of his application for the enrollment of himself, his wife, Belle D. Payne, and their children as citizens of the Cherokee Nation, and fixing December 8, 1902, as the date for the hearing of such testimony.

Respectfully,

Commissioner in Charge.

Enc. K-37

Cherokee 1331,
Cherokee B-90.

Muskogee, Indian Territory, November 19, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Dear Sir:-

You are hereby notified that on December 8, 1902, the application made by Houston J. Payne for the enrollment of himself, his wife, Belle D. Payne, and their children as citizens of the Cherokee Nation, will be taken up for the hearing of further testimony.

The applicant and his attorneys have been notified that the Commission will require further testimony as to residence in the Cherokee Nation.

Respectfully,

/ Commissioner in Charge.

Cherokee R-69-
R-61-Cherokee 1321-
1328.

Vinita, Indian Territory, January 9, 1901.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The records in the following cases are herewith transmitted to the Commission:

Cherokee R-69, Houston J. Payne.
Cherokee 1321, Belle B. Payne, et al.
Cherokee 1328, Sallie A. Payne, et al.

The record in each of these cases appears to be complete. There is also transmitted, a part of the record in the case of Gabriel L. Payne, et al., Cherokee R-61. A part of the record in this case is attached to the decision heretofore written, and now in the possession of the Commission at Muskogee. The part of the record herewith transmitted, together with the part of the record attached to the decision, should make a complete record in this case also.

These cases are forwarded to the Commission for decisions as to the rights of the applicants embraced therein, as citizens of the Cherokee Nation.

Respectfully,

Clerk in Charge.

Encl. R-61.

Cherokee 2-36

Muskogee, Indian Territory, January 9, 1906.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:-

There is enclosed you herewith brief submitted by the attorney for the applicants in the case of Houston J. Payne et al., Cherokee 2-36.

Respectfully,

Commissioner in Charge.

COPY.

Cherokee R-89.

Muskogee, Indian Territory, February 25, 1903.

Hill & Brizzolara,
Attorneys for Houston J. Payne,
Fort Smith, Arkansas.

Gentlemen:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Houston J. Payne for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. R-118.

Register.

COPY.

Cherokee 3-69.

Muskogee, Indian Territory, February 25, 1903.

Houston I. Payne,
Fort Smith, Arkansas.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

(SIGNED), Tams Bixby.

Chairman.

Reg. R-111.
Register.

COPY Cherokee R-59.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Hampton J. Payne for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Enc. R-13. Acting Chairman.

COPY.

Cherokee R-89.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Houston J. Payne for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. R-13.

Cherokee
[illegible]

Muskogee, Indian Territory, January 18, 1907.

Houston J. Payne,

Fort Smith, Arkansas.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Inel. Decn. B

Commissioner.

Cherokee 10128

Muskogee, Indian Territory, March 12, 1907.

Houston J. Payne,

Ft. Smith, Arkansas.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-100
MPM

Commissioner.

Cher 10104

Malinda E. Scudder

Cher 10104

ENROLLMENT REFUSED AS TO WIFE, MALINDA E. SCUDDER.

Department of the Interior,
Commission to the Five Civilized Tribes,
Ft.Gibson, I.T. August 24, 1900.

In the matter of the application of Lewis B. Scudder for the enrollment of himself wife and children as Cherokee citizens; being sworn and examined by Commissioner Needles he testifies as follows:

Q What is your name? A Lewis B. Scudder.
Q What is your age? A Sixty-years old.
Q What is your post-office address? A Texanna Indian Terr'y.
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q What degree of blood do you claim? A One-eighth Cherokee.
Q What district do you live in? A Canadian.
Q How long have you been a resident ~~of~~ of the Cherokee Nation continuously? A Since about 1887.
Q Does your name appear upon the authenticated roll of 1880?
A No sir.
Q By what right do you claim citizenship? A By the authority of the Cherokee Government.
Q Have you a certificate of admission? A Yes sir.
(Here applicant produces paper)
Q For whom do you apply, for yourself and who else? A The parties represented there and my wife and my children.
Q Is your father living? A No sir.
Q Did he die before eighty? A Yes sir.
Q Your mother living? A No sir.
Q She die before eighty? A Yes sir.
Q What is the name of your wife? A Malinda E. Scudder.
Q When did you marry her? A First day of April 1870.
Q Is she white? A She is white.
Q Her father and mother both dead? A Yes sir.
Q They were non-citizens? A Yes sir.
Q What are the names of your children now under twenty-one years of age? A Cherokee G. Scudder, nineteen years old; Alfred B. Scudder, sixteen years old; Maggie B. Scudder, ten years old.
Q ~~W~~hat all? A That's all.
Q Are these children alive and living with you? A Yes sir.
Q You present a certified copy of certificate of admission to citizenship by the Cherokee Nation, in which the name of Lewis B. Scudder, Cherokee G. Scudder and Alfred ~~B~~. Scudder appear, and they were admitted to citizenship on the 13th day of October 1887; said certificate being signed by D. W. Lipe, Acting Chairman of the Commission, and certified to by D.W.Williams, Clerk ,- are you the identical Lewis B. Scudder and the children you name the identical persons named in this certificate? A Yes sir.
Q You have been in the Territory continuously since your admission? A Yes sir; well, no, they sent his back to me;- I followed the same fall that I was admitted.
Q You came the same fall that you were admitted and have been living here ever since? A Yes sir.
Q This certificate was issued in 1887, you were here in the fall of 1888, anyhow? A Yes sir.
1896 roll page 68 #1873 Lewis B. Scudder Canadian District.
1896 roll page 93 #267 Malinda E. Scudder, ~~Canadian District.~~
1896 roll page 68 #1876 Cherokee G. Scudder Canadian District.
1896 roll page 68 #1877 Alfred B. Scudder Canadian District.
1896 roll page 68 #1878 Maggie B. Scudder Canadian District.
Q When were you married to your wife? A 4th day of April 1870.
Q And she never has been admitted? A N° sir.

Com'r Needles: The name of Lewis B. Scudder appears upon the census roll of 1896, and he also presents certificate of admission from the Cherokee Nation as described in the testimony more particularly; his wife, Malinda E.'s name also appears upon the census roll of 1896 and the names of his children, Cherokee G., Alfred B.

and Maggie B., appear upon the census roll of 1896, and the certificate of admission as presented by the applicant includes the names of his children, Cherokee G. and Alfred B., they having been admitted at the same time as the applicant, on the 13th day of October, 1887; his child, Maggie B.'s name appears upon the census roll of 1896; they being fully identified according to page and number of the roll as indicated in the testimony, and having made satisfactory proof as to their residence, the said Lewis B. Scudder and children, Cherokee G., Alfred B. and Maggie B. will be listed for enrollment as Cherokee citizens by blood; his child Maggie B., will be listed for enrollment as a Cherokee citizen by blood upon satisfactory evidence being given of his marriage with his wife.

The name of his wife Malinda E. appears upon the census roll of 1896, but the evidence develops that he was married to his said wife, Malinda E. before he was admitted to citizenship, consequently the application for the enrollment of his wife, Malinda E. will necessarily have to be rejected.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 3 day of Sept 1900.

C A Russell

Commissioner.

18

R102

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 4 1900

R 102

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 24 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date AUG 24 1900 1900.

Name Texana Jr

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Malinda E. Dandridge,

District Canadian Year 1896 Page 93 No. 267

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

1863
IV 102

Certified copy of the Record of the proceedings of the Council held by the Cherokee Nation

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 28 1901

ACTING CHAIRMAN

Sale of Georgia Pitchlynn
Heirs-Land Choctaw - Issue
Grant of Fee with
Covenants that in forfeiting to
Thus land cannot take effect
Land in accord in any other
This January 5. 1901.

W. T. Duncan
Attorney.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FT. S. D
JAN 28 1901

Chas
Supp'l to R 162

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 24, 1902.

In the matter of the application of MALINDA E. SCUDDER, for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation:

MALINDA E. SCUDDER, being duly sworn and examined by the Commission, testified as follows:

Q Your name is Malinda E. Scudder ? A Yes sir.
Q How old are you ? A Fifty one.
Q What is your post office address ? A Texana or Checotah, either one.
Q Are you a white woman ? A Yes sir.
Q What is the name of your husband ? A Lewis B. Scudder.
Q Is he a Cherokee by blood ? A Yes sir.
Q Is he an admitted citizen ? A Yes sir.
Q When was he admitted to citizenship ? A I can't tell just exactly the date he was admitted.
Q What year ? A Well, I don't know whether I can tell you that or not, he appears on all the rolls.
Q How long has it been on the rolls ? A I suppose since we was admitted, it must be about fifteen years.
Q Were you married to him before he was admitted ? A Yes sir
Q You were married to him back in the States ? A Yes sir.
Q Did you file your marriage certificate with the Commission ?
A Yes sir.
Q Is Lewis B. Scudder your first husband ? A Yes sir.
Q Are you his first wife ? A Yes sir.
Q Have you and your husband been living together ever since your marriage ? A Yes sir.
Q You are living together now ? A No, my husband died last Sunday. He died Saturday and we buried him Sunday.
Q Had you and your husband made your home in the Cherokee Nation ever since he was admitted ? A Yes sir.
Q Never lived anywhere else during that time ? A No sir.

R. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

R. C. Bagwell

Subscribed and sworn to before me this December 10, 1902.

[illegible]
Notary Public.

Cherokee 8-107.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Malinda E. Scudder as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on August 24, 1900, Lewis B. Scudder appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment, among others, of his wife, Malinda E. Scudder, as a citizen by intermarriage of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of this application at Muskogee, Indian Territory, on October 24, 1900.

The evidence shows that the said Malinda E. Scudder was lawfully married, on April 5, 1870, to Lewis B. Scudder, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on October 13, 1887, as shown by an examination of the records of the Cherokee Nation in possession of the Commission, and who has been enrolled by this Commission as a citizen by blood of the Cherokee Nation, his enrollment number being 5158. The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Benson vs. W. A. Benson, held that a white woman married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship. The said Malinda E. Scudder is identified on the Cherokee census roll of 1896.

The evidence further shows that the said Malinda E. Scudder and her said husband lived together in the Cherokee Nation from the time of his admission to citizenship thereof, to and including September 1, 1901.

It is, therefore, the decision of this Commission that Malinda E. Scudder should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of [illegible] 1896 (29 Stats., 495), and it is so ordered.

THE DAWES COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this FEB - 2 1901

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	398
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	384
Adda B. Ward	69	James T. Miller	386
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	786
Ulme Ann Smith	206	Meggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	881
John W. Thurman	263	William H. Burrow	887

Mary Pettit	977	Millie Morton	1554
Bettie Mitchell	985	Andrew Walters	1573
John J Harrison	993	John H Hobler	1610
Jasper N Bateman	1029	Mary M Burr	1612
Susan Ballard	1065	Thomas E Benham	1644
Lucy Eva Simmons	1073	Florence Headrick	1663
Ellen Thornton	1089	Daisy B Brewer	1709
Sarah E Hair	1090	Annie Cordrey	1717
Norman S Drake	1092	Adam Eckert	1722
Susan Hogg	1094	Isaac Timmons	1726
David L Scott	1099	Gent Gibson	1727
James C Taylor	1111	Amos Anderson	1731
Roxie Shepard	1128	William J Mounts	1734
Robert G Elgin	1136	James D Alexander	1745
William Hall	1137	Willis E Miles	1769
Mary Ella Lattimore	1141	Lora Adair	1781
Maggie J Keys	1149	John Yarborough	1796
Joseph M Correll	1177	Lilhe M Dassler	1802
Jane Ratley	1225	Bryant C Redington	1804
George E Norton	1234	Malisa A Maxwell	1808
Mahala D Thompson	1247	Richard Dukes	1811
Charles M Trammel	1264	Fannie Pettit	1816
Flora Carlile	1265	Genevra Pool	1817
William H Norrad	1275	Mollie Crossland	1822
Olivia Benge	1276	Lizzie Benge	1828
Dollie Wilson	1278	John H Welty	1847
Moses Bell	1279	Edward P White	1884
Sarah Fleetwood	1280	Lauren P Green	1887
Rosa E Fargo	1299	Charles Rosser	1898
William M Oliver	1333	Lee Adair	1913
Andrew J Couch	1340	Hezekiah Irving	1930
Lana Hyles	1347	Bert Tippard	1925
Mary M Miller	1350	Jessie C Carlile	1937
Mary E Taylor	1368	Lotin W Gilstrap	1954
Polly Ann Benge	1369	Sarah Young	2018
Margaret Moton	1385	Nancy A Coleman	2049
Minnie McKinney	1390	James N Whisenhunt	2118
Nettie Seabolt	1418	Hiram Stephens	2157
Lawrence G Faulkner	1433	Asa L Guinn	2169
Sarah A Holt	1449	Rebecca J Flying	2172
Jennette Polecat	1492	Thomas J Measles	2192
Ellen Seabolt	1508	John Coody	2215
Charles W Nettles	1509	Sarah Crutchfield	2226
Lena Sittingdown	1511	Henry E Lee	2251
Tim Creeden	1513	Sarah Gritts	2256
Odie Pidcock	1517	John A Madden	2261
Silas A Saterfield	1529	Henry C Pennel	2271
Laura J Jeremiah	1530	Matilda S Cleland	2282
Etta Hicks	1540	Dona A Fraser	2312
Mary A B McKinney	1550	Laura B Cordrey	2330

Lafayett D' Kindred	2328	William A J Trotter	3257
Pearl V Sisson	2339	Albert P Goforth	3298
Nancy J Sevier	2380	Anna B Martin	3307
Mollie Hair	2385	William Brown	3344
Dora Sayers	2474	Jennie B Bluejacket	3345
William T Jones	2501	William Little	3377
Sarah L Martin	2502	Julia M A Russell	3386
William J Shoemaker	2506	Andrew J Smith	3393
Maud Babbridge	2511	William N Blakemore	3396
James L Townsend	2513	Lizzie Denton	3417
George L Morgan	2568	Belle Hudson	3435
Andrew A Brown	2575	Thomas S Heady	3437
Louis K Fair	2623	William M Roseborough	3444
James L Mitchell	2644	Madison G Hawkins	3467
Martha E McNair	2659	Japhat F Ellis	3491
Millard F Eggleson	2668	Emma McAffrey	3543
Elisha M Gray	2686	William T Huitt	3570
Jessie M Ballard	2694	Myra F Chouteau	3580
Annie Mayes	2798	Phillip Donohoo	3581
Belle Sixkiller	2809	Fred L Kelley	3593
James P Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V Fields	3615
William A Martin	2865	Lou Payne	3616
Joseph Q Buchanan	2888	Frederick W Strout	3692
Marcellus L Baker	2905	Andrew L McCamish	3713
Etta M Hill	2915	Sarah Dirtthrower	3731
John R Smith	2922	William P Coble	3758
Ira W Wallen	2926	Robert L Madison	3761
John B Laurence	2959	Mariah McDowell	3795
Lula O Hitchcock	2961	Elizabeth R Thornton	3811
Bell L Muskrat	2975	Jonathan A Wilson	3841
Eliza O'Field	2977	Charles F Covey	3868
Margaret Suagee	2983	Tamsey M Williams	3886
Winfield S Nance	3007	Mary J Wolfe	3889
Benjamin F Kelley	3010	Lathan Lumbard	3891
Moffie Dougherty	3039	Micajah B Haynes	3897
Charles H Leatherman	3043	Annie L Wingfield	3903
Alice A Edwards	3100	Mary Fields	3907
Dorinda Adair	3106	William W Dudley	3944
William R Gray	3118	Minnie M McLaughlin	3950
Dora B Caulk	3143	Henry B Lindsey	3978
Jesse M Gallman	3161	Wilbert H Parkison	3999
Martha E Garrett	3162	Seth R Hall	4011
Artie E Large	3164	Wiley Hanna	4016
Andrew A Kelley	3191	Martha M Woods	4093
Anna B Ryne	3193	Lizzie Gray	4117
Ellen Henderson	3198	Nancy C Carey	4131
David E Jenkins	3212	Annie E Kenney	4165
Lizzie Falling	3253	William H Ward	4180
Robert L Payne	3252	Nannie Brewer	4189

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4400
Austin Hasley	4409
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4494
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4545
John W McDaniel	4548
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4583
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Juha Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Stoore	4619
Roxie J Ketchum	4623
Lazare Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigeon F Jones	4641
Ida Berthelf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Frames	4650
[illegible] Peek	4652
[illegible] Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Morgan H Boone	4662
Thomas C Mock	4668
Sadie Allison	4669
Elizabeth E Burgess	4671
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[illegible] Small	4689
Robert S Stewart	4691
John T Hardesty	4694
Maggie O Wickliffe	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
Lillie Green	4801
Robert R Bass	4804
William J Dotson	4836
Blackburn Reed	4882
Vinnie Lowther	4891
William B Ritchson	4910
Henry D McDonald	4930
Della McDaniel	4956
[illegible] Reed Higginbotham	4991
Eva Mecca	5003
Hiram M [illegible]	5100
Alice J Williams	5101
Nancy Moore	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M [illegible]	5145
Mary Humphrie	5207
Dessie Burgess	5284

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John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
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Annie R C Owen	5600
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John M. Rusk	5976
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Nancy Beamer	5988
Sarah E. Selvidge	6002
Posy P. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
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Ida Buck	6029
William R. Tittle	6030
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Florence G. Langley	6038
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Almira Usery	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
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Laura Fish	6770
Maggie Beecher	6779
Dora A. McDonald	6783
Rosa B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. Bergmann	6811
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John S. Hyatt	6853
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Clora R. Miller	6859
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Jacob C. Johnson	6876
George W. Ware	6897
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Laura A. Smith	61979
Lawrence C. Durnal	61985
Robert M. Marshall	70004
William Henry Rose	70005
James Poe	70009
Willie Hatchenraid	70015
Alice M. Robertson	70033
Charles Moore	70043
Minerva J. Tesar	70051
Lou H. Scott	70078
Katie L. Barnes	70090
Ezra Carrick	70091
Nannie Martin	70100
Rosa M. Harris	70104
Samuel Brown	71000
William M. Turner	71001
Flournoy Mayes	71004
Maggie Mayes	71012
Mary Belle Goodwin	71013
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Terry A Parkinson 7146
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Charles D England 7512
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Robert B Collins 7556
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Mary B Walkingstick 7642
Robert T Kelleam 7653
Mollie Morton 7797
Mattie Girty 8006
Mack Alfred 8015
Ida Harmon 8016
Ida McCoy 8417
Rosie Foreman 8803
Annie Jackson 9034
Margaret T Langley 9092
Ida M Davis 9266
Nora Crapo 9289
Margaret Harmon 9378
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Ella Gravitt 9439
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David O Scott 9446
Harriett Forbes 9447
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Thomas J Davis 9451
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Joshua K Carr 9510
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Thomas J Ritter 9522
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Joseph P Smith 9550
George E Watkins 9552
Florence Henry 9553
Jesse H Johnson 9560
Lydia B Barger 9561
Mary Jane Thomas 9562
James F Petty 9563
Laura McCrary 9566
Joel D Smith 9568
William T Cave 9572
William Bugher 9577
James M Smith 9582
John E Nazworthy 9583
Beverly L Lafon 9587
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John C Barker 9591
John P Greenwood 9593
Henry Hayes 9596
Ella Cornwell 9598
Asa A Hedrick 9599
William C M Robinson 9600
Woodrow Hadley 9612
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Rose O Reed 9618
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Florence C Smith 9625
Charles M Cox 9630
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Thomas A McDonald 9636
Annie Sanders 9638
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George Givens 9658
Phenry Poorboy 9660
Charley Kiger 9671
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William T Barton 9684
Daniel Crail 9770
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Leona E Herron 9854
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Annie Cannon 9867
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Pairlee Thompson 9882
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Margaret Crittenden 9884
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Sarah L Rogers 9891
Stephen Duncan 9892
Gideon D Sleeper 9895
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John H Horton 9904
Howe L Rogers 9905
William Rush 9912
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William H Hall 9920
Edith B Pheasant 9935
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Lucinda Spriggs 9937
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John W Harris 9949
Hannah Raper 9942
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William M Evans 9948
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May F Chambers 9950
Albert Stevenson 9954
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Sarah Bean 9956
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Clara V Ward 10002
Stephen W Pittsenberger 10005
Mary E Palmour 10008
William T Partin 10011
Nellie Fields 10013
Sarah A Dawes 10015
Willard E Hutchins 10016
Jesse Talbert 10020
Julia E Setser 10021
Amanda E Howell 10022
Minnie J Rogers 10023
Nannie Rogers 10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
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Kate Craig	10033
John A. Butts	10034
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Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
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Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. [illegible]	10113
Lucy F. [illegible]	10114
Edward H. [illegible]	10115
John T. [illegible]	10117
Charles [illegible]	10118
Nancy [illegible]	10123
Anna P. [illegible]	10124
Richard A. [illegible]	10126
Emma P. [illegible]	10128
Walter L. [illegible]	10129
Nellie [illegible]	10130
William [illegible]	10131
Lew [illegible]	10132
Bessie [illegible]	10133
Eva [illegible]	10135
Calvin [illegible]	10136
Jackson M. [illegible]	10138
Minnie [illegible]	10139
Charles L. [illegible]	10140
William W. [illegible]	10141
Delia [illegible]	10142
John A. [illegible]	10143
Ora [illegible]	10145
Mary L. [illegible]	10146
Callie [illegible]	10147
Eugene W. [illegible]	10148
Dora J. [illegible]	10150
Julia M. [illegible]	10151
Parmelia E. [illegible]	10153
Charles J. [illegible]	10161
Louisa J. [illegible]	10169
George L. [illegible]	10170
Annie [illegible]	10171
Jesse Warren [illegible]	10174
Alice [illegible]	10181
Lizzie [illegible]	10182
Emma [illegible]	10183
Annie [illegible]	10187
Thomas [illegible]	10188
Elizabeth J. [illegible]	10192
Eliza J. [illegible]	10199
Rosa [illegible]	10200
Hannah [illegible]	10201
Alma [illegible]	10203
Flora A. [illegible]	10204
Telesphora A. [illegible]	10205
Senator [illegible]	10206
Mary E. [illegible]	10207
Robert W. [illegible]	10208
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John M. Ridenour	D	458
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Joseph Reed	D	466
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Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
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Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
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Francis M. Boothe	D	734
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Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
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Artha Williams	D	800
Adam Gearhart	D	806
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Annie Garrett	D	856
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Rhoda A Sanders	D	878
Manuel Spencer	D	884
Benjamin H Hulbert	D	891
Mary Brassfield	D	935
James L Tindle	D	944
Silas G Reneckar	D	966
Eliza Wofford	D	967
Jasper L Newton	D	971
John Y Gennin	D	974
Hannah Parson	D	989
Nellie C Heitenbrand	D	1005
Thomas J Wedgeworth	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M Jones	D	1022
Reuben A Evans	D	1032
Carrie H Cobb	D	1049
John M Burns	D	1069
Sarah E Henson	D	1083
Laura D Henson	D	1086
Bertie E Downing	D	1090
Benjamin F Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spannard	D	1130
Annie Wilson	D	1131
Ora H Maxwell	D	1135
Reuben W Moore	D	1136
Cora Childs	D	1146
Jamie Hughes	D	1179
Frances B Reid	D	1180
Martha Cates	D	1195
Christina Johnson	D	1199
Lorrenia Ironside	D	1208
Marcus J Henson	D	1218
David A Martin	D	1228
Fred D McEnery	D	1235
Nathaniel R. Martin	D	1261
James H Requa	D	1266
Frank Carver	D	1267
Etta B Payne	D	1270
Mary Garrett	D	1271
Joe W Goodman	D	1272
Mathew J Flanigan	D	1274
Lizzie C Holland	D	1285
Etta Downing	D	1291
William Cakwood	D	1296
Clarence W Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
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Katie Rider	D	1334
Samuel G Mills	D	1337
Alfred H Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J Houston	D	1363
Samuel M Collier	D	1367
Katy Payne	D	1369
Joseph H Warren	D	1375
Mattie Miller	D	1433
S F Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G W Williamson	D	1555
C L Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Maddox	D	1637
Thomas Rodnett	D	1661
Katie Still	D	1866
Pet Crouch	D	1913
D A Moore	D	1967
J C Sefton	D	1991
Jennie Holland	D	2024
Lon Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crapo	D	2592
Daisy Cash	D	2595
Hiram V Lander	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C Ramsey	D	2607
Priscilla Ross	D	2608
Tom W Reeves	D	2609
Mary Smart	D	2612
Rufus Tidwater	D	2613
Jasper Turquist	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whitehead	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F Couch	D	2700
Albert C Dykes	D	2703
Delora Drew	D	2704
Frank F Danderson	D	2705
James Gafford	D	2708
Anna L Harlin	D	2715
William R Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S Ross	D	2738
Irene Riley	D	2739
William H Rowley	D	2740
Columbus C Scroggins	D	2741
Della Summers	D	2743
William S Sage	D	2744
Eliza Thomas	D	2748
John P Thurman	D	2749
Mary E Davis	D	2770
Jessie Frick	D	2774
Enna Buthington	D	2788
Will Black	D	2789
Maggie E Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Ellie Grayham	D	2798
Alice C Hill	D	2799
Bertha H Harlin	D	2800
Margrett C Hudson	D	2801
Joseph A Kelley	D	2803
Andrew O Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A Martin	D	2811
Jesse P Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M Nidiffer	D	2817
Louizer Ossowee	D	2818
William H Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A Ward	D	2849
Winnie Daugherty	D	2864
Mary Guthrie	D	2865
Lydia Long	D	2896
Edda Roberts	D	2897
Manda Ward	D	2899
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2930
Lizzie Anderson	D	2961
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P Ables	D	3046
Almedie Ross	D	3052
John S J Fowler	D	3055
Leaner Hood	D	3056
James D Jackson	D	3057
Emma G Nelson	D	3058
Alice Sameo	D	3059
George O Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miner	R	269
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	430
Lizzie Pharis	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitzell	R	642
Jimmie G. Thompson	R	5	John Sitzell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COPY

Cherokee R-102.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Lewis B. Scudder for the enrollment of his wife, Malinda E. Scudder, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. R-8.

COPY

Cherokee R-102.

Muskogee, Indian Territory, February 25, 1903.

Lewis B. Scudder,

Tecumseh, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of your wife, Malinda E. Scudder, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby
Chairman.

Enc. R-113.

Register.

Chickasaw
[illegible]

Muskogee, Indian Territory, January 10, 1907.

Malinda E. Gaither,
Tishomingo, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Chickasaw Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. 3

Commissioner.

Cherokee 10104

Muskogee, Indian Territory, March 11, 1907.

Malinda E. Gendler,

Texhoma, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 19, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was approved by the Secretary of the Interior, January 26, 1907.

Respectfully,

Commissioner

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

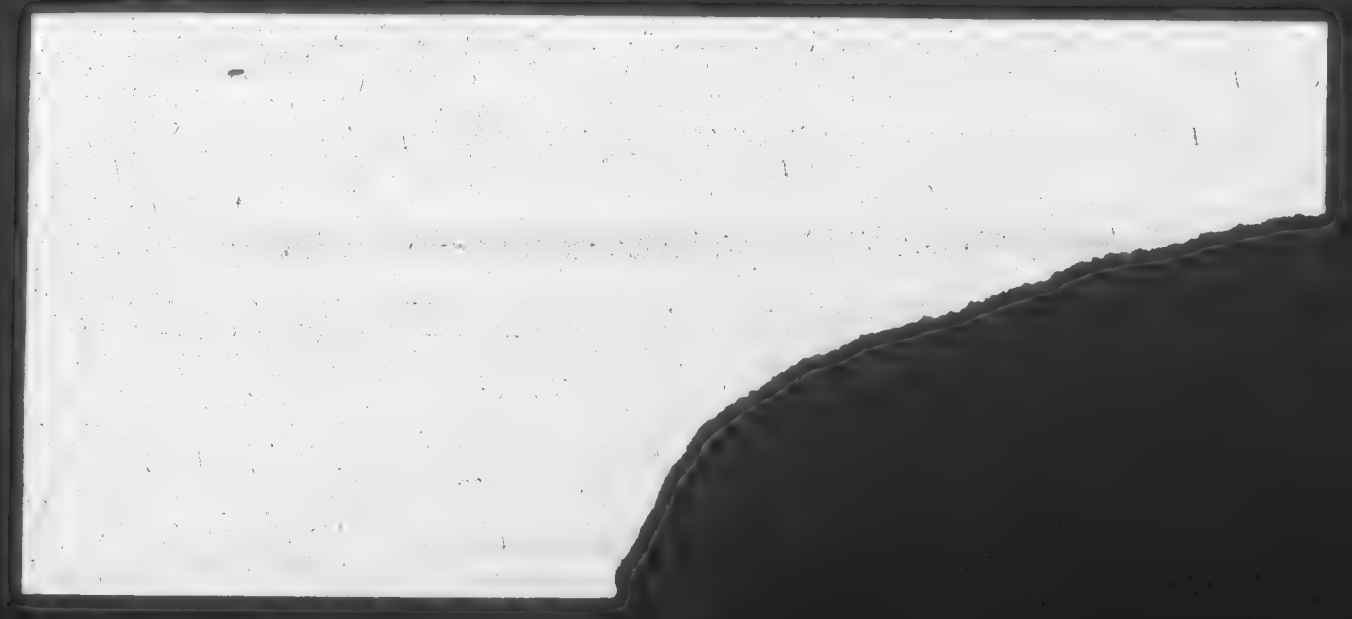
You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-109
RTM

Commissioner.



DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

FEB 1 1 1902

FEB 1 1

Cher 10105

Henry Odell

Trans. from R 590

Cher 10105

Applicant: Mem.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
BARTLESVILLE, I.T. OCOTBER 12th, 1900.

In the matter of the application of Henry Odell for the enrollment of himself, wife and child as citizens of the Cherokee Nation; said Odell being sworn and examined by Commissioner C.R. Breckinridge testified as follows:

Q Tell me what your name is? A Henry Odell.
Q How old are you? A I am 52.
Q What is your post office? A Ochelata.
Q In what district do you live, Coowescoowee? A Yes.
Q Who is it you want to have put on the roll, yourself and family?
A Yes, sir, wife and child.
Q One child only? A One child, yes.
Q Are you Cherokee by blood? A No.
Q What are you, white man? A I am white man.
Q Is your wife Cherokee? A Yes, sir.
Q Let me see your marriage license and certificate? (Presents papers to the Commission.)
Q You present here an affidavit from the former Clerk of Coowescoowee district, stating that on the 10th day of July, 1889, he issued a license to you in accordance with Cherokee law to marry Margarett Wing, and that he performed the marriage ceremony between you. It seems that you had lost your original license and certificate. Now, why cannot you write to Tahlequah and get a copy of the original license and certificate that is on record there? A (No response.)
Q Have you written to Tahlequah to get a copy of your marriage papers? A I do not know as I have? I do not think I have.
Q Have you lived with your wife ever since you married her? A Yes, sir.
Q And all the time in the Cherokee Nation? A Yes, sir.
Q How, your wife's full name is Margarett Odell, is it? A Yes sir.
Q How old is she? A 40 years old.
Q Give me the name of her father? A Edmond Duncan.
Q Is he dead? A Yes, sir.
Q Give me the name of her mother? A Barbarey Duncan.
Q Is she dead? A Yes, sir.
Q Your wife was a Wing when you married her? A Yes, sir.
Q What was the name of the man Wing that she was married to before you married her? A Odus Wing.
Q Was he dead when you married your wife? A Yes, sir, he was.
Q Had she ever been married except to Odus Wing? A No, sir.
Q Were you ever married except to this wife? A Yes, in Pennsylvania.
Q Was that wife dead when you married her? A No, but she had a divorce from he, and was married.
Q Have you a copy of the decree of divorce? A No, I have not a copy of it.
Q Howcan you prove that she had a divorce from you? A My brother wrote to je that she had.
Q What was her name? A Narinda Shaw.
Q When were you and she divorced? A It has been about 14 years ago.
Q Where did the divorce [illegible] in Pennsylvania?
Q In what county or town? A Wyoming County.
Q What town did you live in there? A Factoryville.
Q Where the Court held in that town? A I thin Court was at Tunkhannock.
Q Was that in Wyoming County? A Yes, sir.
Q What was your wife's name in 1880? Was she Duncan or Wing? A Wing.
Q Was your wife born in the Cherokee Nation? A Yes, sir, she says she was born in the Nation.
Q Has she lived here all her life? A Yes, sir.
Q Give me the name of your child? A Mary Odell.
Q How old is the child? A Ten years old.

Henry Odell--2.

1880 Enrollment; page 204, #3332, Margaret Wing, Cooweescoowee.
1896 enrollment; page 225, #3574, Margerette Odell, "
1896 enrollment; page 225, #3575, Mary Odell, Cooweescoowee.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and one child: His wife is identified on the rolls of 1880 and 1896 as a native Cherokee She has lived in the Cherokee Nation all her life and will be listed now for enrollment as a Cherokee by blood. Her child is identified on the roll of 1896 and is living now. It will be listed for enrollment as a Cherokee by blood.

The applicant himself presents an affidavit which is returned to him to the effect that he was married on July 10th, 1889, to his wife. He is desired to supply the Commission with official evidence of his marriage which, if executed according to Cherokee law, should not be difficult for him to obtain. He is not identified on the roll of 1896, the first roll to which he would be entitled to enrollment since his alleged marriage. It seems further the he was divorced from a former wife some 13 years ago in Pennsylvania, but he is not able to supply the Commission with a copy of the decree of divorce. He stating that he re-married upon the assurance of a letter recieved from Pennsylvania that his former wife had secured a divorce. As he presents no tangible evidence and at this time has never been admitted to Cherokee citizenship and is not identified upon any roll of the Cherokee Nation, simple a memorandum will be made, at present of his application. In he can supply the Commission with official evidence as to his marriage and with official evidence of his divorce from his former wife, as alleged by him, the the status of his application will be materially changed. In the absence of this evidence is he wished the memorandum forwarded to the Secretary of the Interior of his application, will be done upon receipt of a written request to that effect.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 12th day of October, 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Oct. 12 1900.

Name [illegible]

District ..... Year ..... Page ..... No. .....

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

99901

Marinda Odell / In the Court of Common
vs / Pleas. Wyoming County
Henry Odell / Penna. No 81 Apr 7-1884

Divorce

And now, Nov 11 1884; The Court having heard this case and having fully considered and proceeded to determine the same as to law and justice appertain. Do Sentence and Decree, that Marinda Odell be divorced and Separated from the nuptial ties and bonds of matrimony heretofore Contracted between her the said Marinda Odell the libellant, and the said Henry Odell respondent; And that thereupon all and every the duties, rights and claims accruing to either the said Marinda Odell, or the said Henry Odell at any time heretofore in pursuance of said Marriage shall cease and determine, and the said Marinda Odell and Henry Odell, shall severally be at liberty to marry again in like manner as if they had never been married, and further the Court do award to the said Marinda Odell against the said Henry Odell her Costs in this behalf expended

By the Court

Attest. Edwin Stephens
Prothonotary

I John [illegible] Postmaster of the
[illegible] County Virginia do hereby
[illegible] To Certify the
[illegible] the annexed Copy
Copy [illegible] Divorce Miranda
Clark [illegible] is full and
[illegible] the former remains of record
[illegible]

Given [illegible] and seal [illegible]
[illegible] day of May [illegible]



COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Rejected; married in 1889; no evidence of Cherokee license or that marriage is lawful; on roll; wife duly enrolled; judgment stated.

Chickasaw R 590.

R591

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 20 1901

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

I, J.F. Parks Executive Secretary of the Cherokee Nation, do here by certify that I am the legal custodian of the Records of the office and that careful search has been made in the Marriage Records of Cooweescoowee District and on page 249 of one of said records there appears the affidavit of Wm. V. Carey that he the said Carey while acting in the capacity of Clerk of Cooweescoowee District, did on the 10th. day of July 1889 issued a license to and in accordance with law joined in the Holy Bonds of Matrimony one James O'Dell a citizen of the U.S. and one Margaret Wing(nee) Beason a citizen of the Cherokee Nation.

This 6th. day of June 1902.

J.F. Parks

Executive Secretary.

R 590
.A3

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

June 12, 1902

Hon. Commission to the Five Civilized Tribes

Muskogee, I.T.

Sirs:

In making certificate from page 249, Marriage Record of Coowescoowee District on the 6th., instant, in reference to issuance of marriage license and marriage of Henry O'Dell to Margaret Wing (nee) Duncan, an error was made in stating that license was issued to "James" O'Dell to marry Margaret Wing(nee) Duncan, and a certificate is here inclosed giving the correct name "Henry O'Dell" of the party to whom license was issued and who married one Margaret Wing(nee) Duncan as is shown by the record in this office

Respectfully

J. T. Parker

Executive Secretary

R590.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 16 1902

CR 590

Ceowesecowee District,

Cherokee Nation.

This day personnaly appeared before me, Wm. V. Carey , who after being duly ~~xxxxx~~ qualified according to law, states; I was Clerk of Ceowesecowee District, Cherokee Nation during the years 1887--1889, and while acting as said Clerk, application was made on the 10th., day of July 1889 to me to issue marriage license to one Henry O'Dell a citizen of the United States to marry one Margeret Wing,(nee) Duncan, a bona fide citizen of the Cherokee Nation by blood and the proper petition being presented as required by the statutes of the Cherokee Nation, the license was issued the said Henry O'Dell and Margaret Wing (nee) Duncan and the marriage ceremony was performed by myself while acting in my official capacity as District Clerk.

This statement is made for the benefit of the said Henry O'Dell who has represented to me that the marriage license and other papers in connection have been misplaced and can not be recovered.

Wm. V. Carey.

Sworn and subscribed to before me this the 3d. day of August 1897.

Jos M. Lahay, Clerk Ceowesecowee District, C.N.

By R. Lee Comer Dept. Clk.

I hereby certify that the above is a true copy of original, this the 10th., day of Aug. 1897.

Jos M. Lahay, Clerk Ceowesecowee District. By R.Lee Comer, Dept. Clk.

Executive Department , Cherokee Nation, Tahlequah Ind. Ter.

I hereby certify that the above is a true copy as shown by the marriage record of Ceowesecowee,now on file in this office and in my custody.

Given this the 12th., day of June 1902

J. T. Parker

Executive Secretary.

Cherokee B-590.

Cooweescoowee Dist.

Cherokee Nation.

This day personally appeared before me, Wm. V. Carey, who after being duly qualified according to law, states:

I was Clerk of Cooweescoowee District Cherokee Nation, during the years 1887 - 1889, and while acting as said Clerk, application was made on the 10th day of July 1889, to me to issue marriage license to one Henry O'Dell, a citizen of the United States, to marry one Margaret Wing, nee Duncan, a bona fide citizen of the Cherokee Nation by Cherokee blood, and the proper petition being presented as required by the Statutes of the Cherokee Nation, the license was issued the said Henry O'Dell and Margaret Wing, nee Duncan, and the marriage ceremony was performed by myself while acting in my official capacity as District Clerk. This statement is made for the benefit of the said Henry O'Dell, who has represented to me that the marriage license and other papers in connection have been misplaced and cannot be recovered.

Wm. V. Carey,

Sworn to and subscribed before me
this the 3 day of August 1897.

Joe M. Lahay, Clerk Cooweescoowee
Dist. Cherokee Nation.

(Seal)
By R. Lee Comer, Dept. Clk.

Recorded on page 249, Book "E" Record of Marriages, Cooweescoowee District, C. N. Joe M. Lahay, Clerk.
By R. Lee Comer, Dept. Clk.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T. October 9, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me
this 9th day of October 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilised Tribes.
Muskogee, Indian Territory, October 9th, 1902.

In the matter of the application of Henry Odell for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Supplemental to R-590.

Cherokee Nation appears by J. C. Starr.

HENRY ODELL, being duly sworn, testified as follows:
Examination by the Commission.

Q. Your name is Henry Odell. A. Yes, sir.
Q. How old are you? A. I am 54 years old.
Q. What is your post office? A. Ramonia.
Q. Used to be Ocheleta? A. Yes, sir.
Q. You are a white man, are you? A. Yes, sir.
Q. You are claiming as a citizen by intermarriage? A. Yes, sir.
Q. What is the name of the wife through whom you are claiming?
A. Her name is Margarett Odel now. It was Margarett Wing before I married her.
Q. Is she living? A. Yes, sir.
Q. Is she a Cherokee by blood? A. Yes, sir.
Q. Is she your first wife? A. No, sir; she is my second.
Q. What was your first wife's name? A. Marinda Odell.
Q. When were you married to her? A. That was a good many years ago. I can't give the date.
Q. Was she dead? A. No, she got married again before I did.
Q. You and she were divorced? A. Yes, sir.
Q. When was that? A. I sent a copy of my wife's divorce to this Commission.
Q. Were you divorced from your first wife before you married your second? A. No, she got the divorce, and the Dawes Commission wanted me to send them a copy of it. I done so.
Q. You married after your wife got a divorce from you?
A. Yes, sir.
Q. Your first wife was a white woman? A. Yes, sir.
Q. When were you married to this wife? A. You can get the date there, I think. (presenting affidavit.)
Q. You got out a marriage license to marry Margarett Wing in 1887, did you? A. Yes, sir. When we drew the strip money we went to take the marriage certificate and my wife laid the marriage certificate down and lost it and I had to send to get a copy of it.

Applicant presents an affidavit executed by William B. Cary to the effect that when he was clerk of Cooweescoowee district in 1887 he issued a marriage license to Henry Odell to marry one Margarett Wing, nee Duncan, a citizen of the Cherokee Nation and that he performed the marriage ceremony between said parties.

Q. Have you been living with your wife ever since you married her?
A. Yes, sir.
Q. Been living in the Cherokee Nation? A. Yes, sir.
Q. You were never separated from her? A. No, sir.
Q. You have been living together all these years? A. Yes, sir.
Q. Have you any children? A. No, they are both dead.

Examination by Mr. Starr.

Q. When were you and Margarett married? A. We have been married--it is 14 years ago.
Q. How soon after the license was issued were you married?
A. We were married at his house.
Q. The same day the license was issued? A. Yes, sir; just as quick as the license was issued.

IIII

Cherokee B-590.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of Henry Odell as a citizen by intermarriage of the Cherokee Nation.

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D E C I S I O N.

--:o:--

The record in this case shows that on October 12, 1900, Henry Odell appeared before the Commission at Bartlesville, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that Henry Odell, a white man, was divorced from a former wife in the State of Pennsylvania, and subsequent thereto he was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on the 10th day of July, 1889, to one Margaret Wing, nee Duncan, a citizen by blood of the Cherokee Nation. Said Henry Odell is not identified on any of the rolls of the Cherokee Nation in possession of the Commission.

The evidence further shows that the said Henry Odell has lived with his said wife continuously in the Cherokee Nation since his marriage to her, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Henry Odell should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB -2 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	398
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ollie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
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Ida L. White	10026
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William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Otha Maxfield	10145
Mary J. Cloud	10146
Calbe Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Stull	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
John Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Mastin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Osrico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Bastian, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	429
John M. Robinson	D	466
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	748
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleero F. Rogers	D	835
Annie Garrett	D	836
George S. Yarbrough	D	875

Rhoda A Saunders	D	878	Ella Vann	D	1320
Manuel Spencer	D	884	Linnie Wofford	D	1330
Benjamin H Hulbert	D	891	Minnie Downing	D	1332
Mary Brandwid	D	935	Katie Rider	D	1334
James L Tindle	D	944	Samuel G Mills	D	1337
Silas G Remecker	D	956	Alfred H Woods	D	1342
Eliza Wofford	D	967	Cynthia Whitekiller	D	1352
Jasper L Newton	D	971	Susie Mespadden	D	1361
John N Gunn	D	974	Martha J Houston	D	1363
Hannah Parson	D	989	Samuel M Colger	D	1367
Nellie C Hebertease	D	1003	Katy Battie	D	1369
Thomas J Weldon Jr	D	1006	Joseph H Warren	D	1375
Lizzie Christman	D	1010	Mattie Miller	D	1433
George Hazlewood	D	1013	S E Moore	D	1434
James M James	D	1022	Addie Schrumsher	D	1448
Reuben A Evans	D	1032	Fannie Vann	D	1458
Carrie H Cobb	D	1039	Marcella Blakeney	D	1474
John M Burns	D	1050	G W Williamson	D	1555
Sarah E Henson	D	1083	C E Walker	D	1558
Laura D Henson	D	1086	Louisa Blevins	D	1567
Hettie E Downing	D	1090	Frank Cowles	D	1581
Benjamin F Crist	D	1096	Mary Frances Manning	D	1637
Benjamin Strecker	D	1129	Thomas Redmon	D	1661
Nancy Spencer	D	1130	Katie Still	D	1866
Annie Wilson	D	1131	Ira Cravat	D	1913
Ora H Maxwell	D	1135	D A Morris	D	1967
Reuben W Moore	D	1136	J C Sutton	D	1991
Cora Childs	D	1146	Jessie Holmes	D	2024
Jesse Hughes	D	1179	Lou Sanders	D	2216
Frances B Reed	D	1180	Carmelo Barnes	D	2591
Martha Carey	D	1205	Lacey Carey	D	2592
Christina Johnson	D	1209	Daisy Cox	D	2595
Laurentine Ironside	D	1218	Hiram A Lockhart	D	2599
Martha J Henson	D	1218	Charles Neal	D	2603
David A Martin	D	1225	Mattie Robinson	D	2605
Fred D Mahaney	D	1235	Jennie Rash	D	2606
Nathaniel R Martin	D	1261	Alexander C Russell	D	2607
James H Bogus	D	1266	Priscilla Ross	D	2608
Frank Carver	D	1267	Tom W Reeves	D	2609
Etta B Payne	D	1270	Mary Stuart	D	2612
Mary Garrett	D	1271	Rufus Tolbert	D	2613
Joe W Goodman	D	1272	Jasper Tate	D	2614
Mathew J Flanagan	D	1274	Mabel West	D	2618
Lonnie C Bullard	D	1285	Ophelia West	D	2619
Etta Downing	D	1291	Cora Whisenhunt	D	2620
William Cartwood	D	1296	Katie Mast	D	2667
Clarence W Turner	D	1307	Willie Rutter	D	2686
Alfred Chaves	D	1311	Claud Barger	D	2687
Euphemia Sweetwater	D	1314	Dave Gardner	D	2688
Etta Brandt	D	1319	John Garrett	D	2689

Herbert F Couch	D	2700	Samuel A. Parkhurst	D	2831
Albert C Dykes	D	2703	Ellen Rogers	D	2832
Delora Drew	D	2704	Elijah Rolland	D	2837
Frank F. Dandenson	D	2705	Endora Steele	D	2838
James Gafford	D	2708	William M. Stucker	D	2839
Anna L Harlin	D	2715	Sallie Tauuenecie	D	2841
William R Lipsey	D	2717	Mary Tassie	D	2842
Bertha Landrum	D	2718	John F. Wolf	D	2845
Lila More	D	2722	Ruth A Ward	D	2849
John D Mathews	D	2723	Winnie Daugherty	D	2864
Mary McIntosh	D	2725	Mary Guthrie	D	2865
Bertha Nidiffer	D	2730	Lydia Long	D	2866
Richard Nichols	D	2731	Edda Roberts	D	2867
William S. Ross	D	2738	Manda Ward	D	2869
Irene Riley	D	2739	Elmira J. Alberty	D	2905
William H. Rowley	D	2740	Thomas C. Cordray	D	2906
Colombus C Scroggins	D	2741	Edward Fowler	D	2907
Della Summers	D	2743	Dora Foreman	D	2908
William S. Sage	D	2744	Parker Holt	D	2909
Eliza Thomas	D	2748	John Haston	D	2910
John P. Thurman	D	2749	Georgie Harlin	D	2911
Mary E. Davis	D	2770	Percillia Johnson	D	2913
Jessie Frick	D	2774	Bettie Morton	D	2915
Enna Buffington	D	2788	Samantha Spade	D	2917
Will Black	D	2789	Mariah Ward	D	2918
Maggie E. Davis	D	2792	Ellen Watt	D	2919
Thomas Dotts	D	2793	Nora Morton	D	2920
William Daws	D	2794	Lizzie Anderson	D	2921
Nancy Dawson	D	2796	Francis Duval	D	2924
Lena Fields	D	2797	Wade S. Hayes	D	2927
Effie Graybam	D	2798	James A Hankins	D	2928
Alice C Hill	D	2799	Joseph Hardee	D	2931
Bertha H Harlin	D	2800	Tennie Horn	D	2932
Margrett C Hudson	D	2801	Evaline Hall	D	2933
Joseph A Kelley	D	2803	John E. Leftwich	D	2935
Andrew O Kepler	D	2804	Mattie Henson	D	2936
Josephine King	D	2805	John D Calvard	D	2938
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2939
Marion Maddox	D	2807	Sarah Shanks	D	2940
John A McKenzie	D	2808	Nettie Young	D	2941
Ione McGee	D	2809	Jerry P Ables	D	2945
Ollie Miller	D	2810	Almedie Ross	D	2952
William A Martin	D	2811	John S J Fowler	D	2955
Jesse P Morrow	D	2812	Leanor Head	D	2956
Oliver Mason	D	2813	James D Jackson	D	2957
Edna Whitehead	D	2814	Emma G Nelson	D	2958
Charles Nuckolls	D	2815	Abee Bruce	D	2959
Etta M Nichiffer	D	2817	George O. Wallace	D	2960
Laurner Chesnee	D	2818	Fannie Chev	D	2961
William H Patterson	D	2820	Ellen Dove	D	2962

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	286
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BOSTWICK.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 1, 1902

Mr. Henry Odell,

Ocheleta, Indian Territory.

Sir:

Upon examination had in the matter of the application of yourself to be enrolled as a citizen of the Cherokee Nation, it is found that you have not supplied the Commission with satisfactory proof of your divorce from your former wife, one Miranda Shaw in the State of Pennsylvania. It is further found that you have not supplied satisfactory proof of your marriage in April, 1899 to one Margaret Wing, nee Duncan.

You are requested to forward to the Commission immediately certified copies of the decree of divorce, also marriage license and certificate aforesaid. Please give this matter your prompt attention as your case cannot be proceeded with until the information requested as above is received.

Yours truly,

Acting Chairman.

In answer refer to
Cherokee No. R 590
Register.

C R 590

Muskogee, I. T., May 21, 1902.

Mr. J. T. Parks,

Secretary Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

Upon an examination had in the matter of the application of Henry Odell of Ochelata, Coowescoowee District, Indian Territory, to be enrolled as a citizen of the Cherokee Nation, it is found that the Commission has not been supplied with documentary proof of his marriage in April, 1889, to one Margarett Wing, nee Duncan. The Commission respectfully requests you to examine the marriage records of the Cherokee Nation, and upon such examination, we further request that you certify to the facts and transmit your statement and certification thereof to the Commission.

Respectfully yours,

Commissioner in Charge.

In reply refer to
C R 890

Muskogee, I. T., June 9, 1902.

Mr. J. T. Parks,

Executive Secretary Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There was addressed to you a communication on May 21, 1902, wherein you were requested to examine the marriage records in your possession, and certify to such facts as you found thereon relative to a marriage between one Henry Odell, a white man, and Margaret Wing, nee Duncan, a citizen of the Cherokee Nation.

Your favor of June 6, 1902, in reply thereto, has been received, and note that you certify on page 249 of a marriage record of Ceowoeseeowee District there appears an affidavit, that on the 10th day of July, 1889, a license was issued to Join in the Holy Bonds of Matrimony one James Odell, a citizen of the United States, and one Margaret Wing, nee Duncan, a citizen of the Cherokee Nation. Owing to the difference in the name of the person asked for and the name received in reply, you are respectfully requested to make a further examination and determine whether the name "James" in your certificate is not a typographical error.

Yours respectfully,

Acting Chairman.

Cherokee R-890.

Muskogee, Indian Territory, October 11, 1902.

Henry Odell,

Ramona, Indian Territory.

Dear Sir:-

The affidavit heretofore filed with the Commission relative to your marriage to Margaret Wing, is herewith returned to you, a copy of same having been made and retained in the Commission's files.

Respectfully,

Commissioner in Charge.

Enc.-P-78-1/2.

COPY.

Cherokee R-590.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Henry Odell for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. R-12.

COPY.

Cherokee R-396.

Muskogee, Indian Territory, February 25, 1903.

Henry O'Dell,

Nowata, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby

Chairman.

Enc. R-114.

Register.

Vinita, Indian Territory, March 3, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of the Commission's letter of February 26, enclosing cards and original records, among others, in Cherokee cases D-157, Albert Shepard and D-453, Fred Henry; also the record in Cherokee case 4184, Sylvester E. Hurst, et al. These cases are transmitted for transfer to straight cards.

I respectfully request that the original jackets in the three cases above named be transmitted to this office. Jackets in cases D-453 and 4184 are in the possession of Mr. W. J. Sullivan. The jacket in case D-157 is in the possession of Mr. J. A. Cotner.

I also respectfully request to be advised if jacket D.-890, Henry Odell is in the office of the Commission at Muskogee.

Respectfully,

Clerk in Charge.

GRS

Cherokee R-690.

Vinita, Indian Territory, March 9, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of the Commission's letter of March 5, transmitting jackets and records in the following Cherokee cases:

Cherokee [illegible]-455, Fred Macey.
Cherokee [illegible]-157, Albert Shepard.
Cherokee 4184, Sylvester Hurst, et al.

The Commission's letter further states that the jacket in Cherokee case R-690, Henry Odell, is in the office at Muskogee. As the card and original record in this latter case has heretofore been transmitted to this office for transfer, I respectfully request that the jacket in Cherokee case R-690, Henry Odell, be forwarded to this office at the earliest possible date.

Respectfully,

Clerk in Charge.

MP

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 9 1903

0159

Cherokee R 690.

Muskogee, Indian Territory, October 16, 1900.

Joseph M. LaMay,

Claremore, Indian Territory.

Dear Sir:

You are requested to, if possible, advise this office the present postoffice address of your clients, Margaret J. and Georgia Emerson and Sarah E. Neal, applicants for enrollment as citizens of the Cherokee Nation. The last known postoffice address of these applicants is Los Angeles, California, but mail addressed to them at that point has been returned marked unclaimed.

Respectfully,

LS

Commissioner.

Cherokee R 690.

Muskogee, Indian Territory, December 21, 1906.

Joe M. Lahey,

Claremore, Indian Territory.

Dear Sir:

Sometime since you informally advised this office that you would file an affidavit as to the birth of Georgia Emerson, daughter of your client, Margaret J. Emerson, and awaiting said affidavit no action has been taken looking to a determination of the right to enrollment of the applicants embraced in the Cherokee enrollment case of Sarah E. Keel, et al., Cherokee R 690. It is requested that the affidavit be furnished at the earliest practicable date.

Respectfully,

Is Commissioner.

Cherokee
1907

Muskogee, Indian Territory, January 10, 1907.

Henry O'Dell,

Ramona, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. 3

Commissioner.

273

Cherokee
10168

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 14, 1907.

Henry Cobill,

Ramona, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for your enrollment as an intermarried citizen of the Cherokee Nation was affirmed by the Department, January 26, 1907.

Respectfully,

Commissioner.

EJC

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five

Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

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Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make formal complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, plats will be open for inspection showing the location of tentative allotments made by former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for, within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

Cherokee
S et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-1/90
MMM

Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

OCHELATA MAR 20 IND. T.

MUSKOGEE, IND. TER. MAR 19 1907

REGISTERED MUSKOGEE, IND. TER.

Henry Odell,
~~Ochelata~~,
~~Indian Territory~~.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE MAR 16 5 PM IND. T.

RAMONA MAR 17 3 PM 1907 IND. T.

~~Henry Odell~~
~~Ramona~~, Indian ~~Territory~~.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

MUSKOGEE JAN 23

~~Henry Odell~~,
~~Ramona~~, Indian Territory.

Cher 10106

Albert Shepard

Trans. from D157

Cher 10106

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FORT GIBSON, I.T., AUGUST 22, 1900.

In the matter of the application of Mollie Shepard for enrollment of herself, husband and child, as citizens of the Cherokee Nation said Shepard being sworn by Commissioner Breckinridge, testified as follows:

Q What is your name? A Mollie Shepard.
Q Your age? A 34.
Q Your postoffice? A Checotah.
Q Your district? A Canadian.
Q For whom do you apply for enrollment? A Myself, one child and husband.
Q Apply for yourself as a Cherokee by blood? A Yes.
Q Is your husband a Cherokee by blood? A No sir, by adoption.
Q How long have you lived in the Cherokee Nation? A All my life.
Q How long have you lived in Canadian district? A About 8 years.
Q When did you marry? A '92.
Q What is your husband's name? A Albert Shepard.
Q How old is he? A 34.
Q Have you marriage license and certificate? A I have it here.
Q Where is your husband? A About 7 miles from Checotah in the Creek Nation.
Q Did get regular license when he married you? A Yes.
Q To be married according to Cherokee law? A Yes.
Q And certificate of marriage to whim he was married? A Yes.
Q Did he have that recorded? A Yes.
Q And he has them still? A Yes.
Q And you and your husband lived together ever since you married?
Q No sir, separated three years.
Q What three years was that? A '96, '97 and '98. I went back in February this year.
Q Did he leave you or did you leave him? A I left him.
Q Never got a divorce? A No sir.
Q Is your husband at your home now? A Yes.
Q Did you have any conversation with your husband about coming in and applying for the family? A No sir, I always registered for the family, and he said I could do it now.
Q What is the name of your child? A Elizabeth, 9 years old.
On '96 roll, page 69; number 1691.
Q What is the name of your father? A Jim Talley.
Q Indian or white man? A Indian.
Q Living or dead? A Dead.
Q When did he die? A About 8 '93 I think.
Q What is the name of your mother? A Bettie Talley.
Q Indian or white woman? A Indian.
Q Living or dead? A Living.
Q What is the name of your husband's father? A I don't know.
Q Do you know the name of his mother? A No sir.
Applicant on '80 roll as Mollie Talley, page 389, number 18.
On '96 roll, page 69, number 1690, as Shepard.
Applicant's husband on '96 roll, page 85, number 270.
Q Know you anyone here who knows that you and your husband have lived together as husband and wife? A Yes, my brother.

[illegible] Talley, being sworn, testified as follows:
Q What is your name? A Ethel Talley.
Q Are you a brother of Mary Shepard? A Yes.
Q When did she and her husband, Albert Shepard, marry? A In '92 I believe.

Q Are you sure that they did not marry before '92? A No sir, I think it was '92.
Q How about that 9 year old child? A It is not his; it is a child she had before she married him.
Q Do you know that that child is the child of your sister here? A yes.
Q That child was born out of wedlock was it? A yes.
Q She was not married at all? A No sir.
Q You know it to be her child? A Yes, it was born at my mother's house and I was there.
Q It has been living with your sister ever since it was born? A yes.

APPLICANT'S TESTIMONY CLOSED.

Q Was this man ever married to your aunt? A yes.
Q When ? A '77.
Q She is dead? A Yes.
Q When did she die? A Sometime about '90 I think.
Q What was her name? A Margarett Bolstow when she married him.
Q What was her name before that? A That was her maiden name.

This applicant, Mollie Shepard, is identified on the rolls of '80 and '96 as a native Cherokee. Her child, Elizabeth, enrolled as Elizabeth Shepard, is identified on the roll of '96. This child was not born in wedlock, but it is shown to be the child of this Cherokee woman, and the mother and the child will now be considered listed for enrollment as Cherokees by blood.

In regard to the application that this woman makes for her husband, Albert Shepard, the application for him will be placed upon a doubtful card, and he will be required to thereafter supply this Commission with his license or a certified copy thereof, said to have been issued him in '92, and also his certificate of marriage.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in the case, and that the foregoing is a full, true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of September, 1902.

Commissioner.

0157 B—

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date August 22nd 1900.

54 Name Albert Shephard Chuctah 2?

District Canadian Year 1896 Page 93 No. 270

Citizen by blood Yes Mother's citizenship U. C

Intermarried citizen Yes Parent

Married under what law Date of marriage 1892

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

*/ On 1896 Roll as Albert Shephard.
Certificate of marriage + Census to be supplied

D157

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 25 1900

D157

C

Cherokee Nation)

Canadian Dist.) To any acting Judge of this Nation or ordained minister of the Gospel , greeting : You are hereby authorized to solemnize the rites of matrimony between Albert Sheppard a citizen of Germany and Margret Polston a Cherokee lady, the said Albert Sheppard having complied with the law regulating : intermarriage with white men and Cherokee Women, the oath has been administered as the law directs.

Given from under my hand and seal of office on this the 12th day of December A.D. 1877

John Smith ,clerk,
Canadian Dist. C.N.

I hereby certify that I have this day married one Albert Sheppard a white man to Margret Polston a Cherokee lady, he Albert Sheppard having shown to my satisfaction that he had complied with all the requirements of the law in regard to whitemen marring Cherokee women.

This the 23rd of December, 1877.

Richard Fields,
A. Justice ,Supreme Court.

I hereby certify that the above is a true copy from the original and recorded this the 26th day of December 1877.

John Smith, Clerk,
Canadian Dist. C.N.

I, B.W.Alberty Assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the records of marriage license and marriages for Canadian district Cherokee nation. This May 8th 1950.

B. W. Alberty
Assistant Executive Secretary.

2157 - D -

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 25 1900

ACTING CHAIRMAN

FILED
AUG 18 1892
Marshall D. Brayden
CLERK

3

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
First Judicial Division. } ss.

I, MARSHALL L. BRAGDON, Clerk of the United States Court in the Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 18th day of August A. D. 189 7, at 8 o'clock A M., and duly recorded in Book D Marriage Record, Page

Witness my hand and seal of said Court at Muscogee in said Territory.
this 18th day of August A. D. 189 7

Marshall L. Bragdon Clerk.

By Deputy.

CLERK OF THE U. S. COURT.

By W. Manning DEPUTY.

Certificate of Marriage.

United States of America,
INDIAN TERRITORY,
Judicial Division. } ss.

I, J. D. Shadewald
a Minister of Gospel

DO HEREBY CERTIFY, that on the 14 day of August A. D. 1892 I did duly and according to law, as required in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 14 day of August A. D. 1892

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, Judicial Division, Book A Page 132 [illegible]

Wm T Sirbud Sally
Bentley Jr

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from Whence it was issued, within sixty days after the date thereof, or the party to whom the License was issued will be liable to the payment of one Hundred Dollars (100).

No. 258

Marriage License.

United States of America,
INDIAN TERRITORY,
Tenth Judicial Division. } ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony between Mr [illegible] Keppard of Checotah in the [illegible] aged 41 years, and Miss Nancy Taylor of Checotah in the [illegible] aged 26 years, according to law, and the same officially sign and return this License to the parties therein named.

WITNESS my hand and Official Seal, this 20 day of June A. D. 1892

[illegible]
CLERK OF THE U. S. COURT.

By W. A. Young DEPUTY.

Certificate of Marriage.

United States of America,
INDIAN TERRITORY,
Judicial Division. } ss.

I, J. D. Shoemake
a Minister of Gospel

DO HEREBY CERTIFY, That on the 14 day of August A. D. 1892 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 14 day of August A. D. 1892

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, [illegible] Judicial Division, Book A, Page 124

Wm H Sirbud Sally
Buttry Talequa

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of one Hundred Dollars ($100.)

- 20 -

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 25 1900

ACTING CHAIRMAN.

FILED
AUG 25 1900
Marshall Grayson
CLERK.

II

10157

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 19 1902

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss

No. 958

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE, GREETING:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Albert D Heppard of Checotah, in the Indian Territory, aged 24 years, and Miss Mollie Tully of Checotah, in the Indian Territory, aged 16 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muscogee, Indian Territory, this 20th day of June, A. D. 92

Wm Nelson
Clerk of U. S. Court.

By N.S. Young Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss.

I, J.D. Shoemake, a Minister of the Gospel, DO HEREBY CERTIFY, that on the 14th day of August, A. D. 1892, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 14th day of August, A. D. 1892

My Credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A, Page 124

J.D. Shoemake
A Minister of the Gospel.

NOTE. This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued within sixty days from the date thereof, or the party to whom the License was issued will be liable to the [illegible]

CERTIFICATE OF TRUE COPY.

United States of America,
INDIAN TERRITORY,
Northern District. } ss.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a ~~License~~ Marriage ~~Mortgage~~ filed in my office on the 18th day of August, 1902, at ~~o'clock~~ M. and ~~recorded~~ filed ~~in~~ ~~Book~~ ~~Page~~ ~~, 190~~.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 19th day of February, A. D. 1903.

Chas. A. Davidson
Clerk and Ex-Officio Recorder.

By R. L. Thorn Deputy Clerk.

the 18 day of August 1902 ~~at~~ ~~o'clock~~ ~~M.~~, and duly recorded in Book B, Marriage Record, Page 31.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 18th day of August A. D. 1902

Marshall L. Bradford Clerk.

By Deputy.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 19 1903

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY. } ss.
Northern District.

I, ~~JAMES A. WINSTON~~ M. L. Bragdon Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed in my office the 18th day of August 1892 at ~~M.~~, and duly recorded in Book B, Marriage Record, Page 31.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 18th day of August A. D. 1892

Marshall L Bragd Clerk.

By Deputy.

"R" .

Cherokee D 157

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 19,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS, in the matter of the application of Albert Shepard for enrollment of himself as a Cherokee citizen.

Appearances:
Applicant, in person;
W.W.Hastings, attorney for the Cherokee Nation.

ALBERT SHEPARD, being sworn and examined testified as follows:
BY COMMISSION:

Q What is your name? A Albert Shepard.
Q Where do you live? A Checotah. Cherokee Nation, Canadian District
Q What is your wife's name? A Mollie Shepard.
Q What was her maiden name? A Mollie Tally.
Q Was she ever married before she married you? A I don't know.
Q What was her name when you married her? A Mollie Tally.
Q Were you ever married before you married your present wife?
A No.
Q Who is Margaret Polston? A She was my first wife.
Q Then you were married before you married this woman? A Yes sir, Margaret Polson was my first wife.
Q Was she a Cherokee? A Cherokee by blood.
Q How long did you live with her? A 15 years.
Q Was she dead when you married your present wife, Mollie?
A Yes sir.
Q When were you married to Mollie? A Married in 1892.
Q Did you get a license? A Marriage license?
Q Yes sir? A Yes. (Produces papers.)

BY COMMISSION: There is offered in evidence a marriage license issued by William Nelson, Clerk of the United States Court for the Northern District of the Indian Territory, By N.S.Young, Deputy Clerk, authorizing the marriage of Albert Shepard and Miss Mollie Tully, and a certificate of marriage showing that the parties were united in matrimony by J. D. Shoemake, minister of the Gospel, on the 14th day of August 1892.

Q Are you living with your wife, Mollie, now? A Yes sir.
BY MR. HASTINGS:
Q She come up here with you did she? A Yes sir.
Q You have been living with her have you since you applied here?
A Yes sir.

1880 authenticated roll of citizens of the Cherokee Nation examined for applicant and identifiedon
page 44 No.1209 Albert Shepherd, Canadian District, adopted white.
1880 authenticated roll examined for applicant's wife, and found on page 44 No.1210 Martha Shepherd, Canadian District.

BY COMMISSION:
Q Do you submit this case to the Commission now for final consideration; you don't care to make any other statement about your enrollment? A No, of course I want to get my right.
Q You are ready to close the case are you? A Yes sir, I am ready to close the case.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 20, 1902.

Commissioner.

10157

Cherokee D-157.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., September 29., 1902.

In the matter of the application of Albert Shepard for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Albert Shepard.
Q What is your age at this time? A 56.
Q What is your postoffice address? A Checotah.
Q Are you the same Albert Shepard that applied to this Commission on August 22, 1900, for enrollment as an intermarried citizen? A Yes.
Q You claim as an intermarried citizen do you? A Yes sir.
Q What is your Cherokee wife's name? A My first wife is dead.
Q What was your first Cherokee wife's name? A Margaret Polston.
Q Were you married to her under a Cherokee license? A Yes sir.
Q Did you file your Cherokee license with the Commission here? A Yes sir.
Q When were you married to Margaret Polston? A I was married on the 23rd of December, '77.
Q When did Margaret die? A In '92, the 2nd of February.
Q Did you and Margaret live together as husband and wife from the time of your marriage up until the time she died? A Yes sir.
Q You were never separated during that time? A No sir.
Q And you were never married to any other woman from the time you married her up until the time of her death? A No sir.
Q Well after her death have you married again? A Yes sir.
Q What is your second wife's name? A Mollie Tally.
Q Was she a citizen of the Cherokee Nation by blood? A Yessir, by blood, my first wife's niece.
Q When were you and Mollie Tally married? A Married in '92 I believe, the 28th of August.
Q Well now, is Mollie living yet? A Yes.
Q Are you and she living together as husband and wife? A No, she is back in Gibson, sometimes she comes and sometimes she goes to her mother, I can't make her stop with me.
Q You say you were married to Mollie in '92? A Yes sir.
Q How long did you and she live together as husband and wife? A Four or five years.
Q Since that time you and she have been separated have you? A Yes sir, been separated and gone together again, and she went back to Gibson; I don't know when she will be back.
Q She goes off and stays a while and then she comes back? A Yes sir.
Q Do you have to go and get her? A Sometimes I do, and sometimes she comes back by herself.
Q Well, there isn't any actual separation between you? A No, she tried to sue me for a divorce a year ago, and she said she wanted to come home. I don't know; that is all I know.
Q Well now these two women are all the women you were ever married to? A That is all the women I ever married.
Q You never married again? A I never married anymore.
Q Your wife Margaret was the first woman you ever married? A Yes sir.
Q Were you her first husband? A No sir.
Q Had Margaret been married before? A Yes.
I don't know of course, she claims she was a widow. I can't say that; she is a Cherokee by blood.
Q Do you know whether that husband was living or not? A He was dead; she was a widow.

Albert Shepard.

Q Well, this last wife had she ever been married before you married her? A Yes sir.
Q Where was her first man? A Well, he is living in Gibson I guess.
Q Was she divorced from him? A She was divorced from him.
Q How long have you lived in the Cherokee Nation? A Since '77.
Q All the time since '77? A All the time since '77 I stayed on one place.
Q How long did your wife Margaret live in the Cherokee Nation before she died? A All the time.
Q Was she born and raised here? A She was born in Alabama; she came here with her ancestors here.
Q How long has your last wife lived in the Cherokee Nation? A She lived always here.
Q Have you got any children? A I haven't any, my wife has one, it doesn't belong to me. I adopted it in my name, she goes by my name Shepard.
Q You don't claim that child? A I claim it by marriage.
Q Is that child living? A Yes sir.
Q Is your wife Mollie living? A Yes.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. G. Rohenburger.

Subscribed and sworn to before me this 16th day of October, 1902.

D. C. Jones
Notary Public.

FILED
OCT. 18 1902

3-Albert Sharpe.

Q Well, this last wife that you have ever been married before you married her? A Yes sir.

Q Where was her first husband? A Well, he is living in Gibson I guess.

Q Was she divorced from him? A She was divorced from him.

Q How long have you lived in the Cherokee Nation? A Since '97.

Q All the time since '97? A All the time since '97 I stayed on one place.

Q How long did your wife Margaret live in the Cherokee Nation before she died? A All the time.

Q Was she born and raised here? A She was born in Alabama; she came here with her parents here.

Q How long has your last wife lived in the Cherokee Nation? I mean since? A Since 1900.

Q Have you got any children? A I haven't any, my wife has one, it doesn't belong to me. I adopted it in my name, she goes by name Sharpe.

Q You don't claim that child? A I claim it by marriage.

Q Is that child living? A Yes sir.

Q Is your wife Nellie living? A Yes.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes in certify recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 28th day of October, 1902.

Notary Public.

Cherokee B-157.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., November 11, 1902.

In the matter of the application of Albert Shepard for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Mollie Shepard, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Mollie Shepard.
Q How old are you? A I was thirty-six the twenty-seventh day of August.
Q Do you know Albert Shepard who is an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A Yes sir.
Q How long have you known Albert Shepard? A About ten years, or since 1892 it has been.
Q Were you married to him? A Yes sir.
Q When were you married? A '92.
Q You are a Cherokee by blood are you? A Yes sir.
Q He had been married before his marriage to you? A Yes sir.
Q What was his first wife's name? A Margaret.
Q She was also a Cherokee? A Yes sir, my mother's sister.
Q How long did you and Albert Shepard live together after you were married? A Four years.
Q Then you separated? A Yes sir.
Q Where were you living when you separated? A Canadian District.
Q Near what town? A Checotah.
Q What was the cause of the separation? A He was mean to me.
Q He was mean to you? A Yes sir, he was.
Q In what way was he? A He fought me. He broke a chair over me once and liked to killed me.
Q Were you living in the country, on a farm? A Yes sir.
Q Did you leave the house? A Yes sir, I left; he told me to leave.
Q Had he been in the habit of striking you often? A No sir, he only struck me once, but he made several attempts. I was always ready for him after the first time.
Q How did he come to strike you? A Just because I was singing for my little girl; that was the whole cause of it: it was nine o'clock at night.
Q You left him in the night? A No sir, I never left. I stayed there until my mother and brother came after me.
Q On whose place were you ~~xxxxxxxxx~~ living? A Living at home with him.
Q Whose place was it? A It was his.
Q Did he have a place when you and he were married? A Yes sir, there are two more places: he gave one to the little girl and one to me.
Q Have you got those places now in your possession? A No sir, he won't let me have them. I can't get them until I sue for a divorce.
Q You haven't got a divorce? A No sir.
Q You have made application? A Yes sir; I left him once before. I think I left him in '98 and went back, and this time I left for good. I won't go back anymore.
Q Be sure in his testimony you were in the habit of going off? A I will never go back anymore.
Q Did you leave him before? A I left him once before.
Q Did he come after you? A He came after me: I didn't go back the first time, then he persuaded me to go.

2-Albert Shepard:

Q Well, you and he have never lived together since you separated this last time? A No sir, and I never will.
Q Has he ever been to see you? A Yes sir, but there is no use talking I went go back anymore.
Q You stood it as long as you could? A Yes sir, I worked hard every day.
Q Where are you living now, Mrs. Shepard? A At Fort Gibson with my mother.
By Mr. Hastings: What is the name of your mother? A Bettie Tally.
By the Commission: Madgen knowir. Shepard while he and his first wife were living together? A Yes sir.
Q They never fell out or separated? A No, they never separated, but he was cruel to her: she told Mamma.
Examination by Mr. Hastings: Did he live with her until she died? A Yes sir, she would leave him whenever she got ready and go to the neighbors.
Q They separated then? A Yes sir.
Q Did this man ever curse you? A Oh, my,yes; all kinds of language he could use.
Q Abusive language? A Yes sir.
Q He broke a chair over you? A Yes sir. There is times I can't hardly raise my arms.
Q He threatened to strike you a number of times afterwards? A Oh, yes.
Q Did he give you any property when you separated? A No sir, he went do it.
Q Did he ever provide for you since you were separated? A Not one thing.
Q He has possession of the place down there? A Yes sir.
Q You want go back to live with him for the reason that he has been cruel and abusive so long? A No sir, I want never go back to live with him because I cannot.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 15th day of December, 1902.

B. W. Jones
Notary Public.

D 157

Cherokee Nation.

Candain District.

To any acting Judge of this Nation or ordained Minister of the Gospel, greeting: You are hereby authorized to solemnize the rites of matrimony between Albert Sheppard a citizen of Germany, and Margret Pelstone a Cherokee lady, the said Albert Sheppard having complied with the regulating intermarriage law with white men and Cherokee Women, the oath has been administered as the law directs.

Given from under my hand and seal of office on this the 12th day of December A.D. 1877.

John Smith Clerk
Candain Dist C. N

I hereby certify that I have this day married one Albert Sheppard a white man to Margret Pelstone a Cherokee lady, he Albert Sheppard having shown to my satisfaction that he had complied with all the requirements of the law in regard to white men marring Cherokee women.

This the 25d of December 1877.
Richard Fields
A. Justice Supreme Court.

I here by certify that the above is a true copy from the original and recorded on this the 26th day of December 1877.
John Smith Clerk Candain District
C.N.

I, B. W. Alberty, Assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the records of marriage licenses and marriages for CanddianDis C.N
This May 8th 1900.

B. W. Alberty
Assistant Executive Sec.

S E A L.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. February 6, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Albert Sheppard, as a citizen of the Cherokee Nation.

.....
Stenographer.

DIVISION OF WILDLIFE RIBES.

D 157

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
~~NORTHERN DISTRICT,~~
First Judicial Division. } ss.

No. 958.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Albert Sheppard, of Checotah, in the Indian Territory, aged 44 years, and Miss Mollie Tally, of Checotah, in the Indian Territory, aged 26 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 20th day of June A. D. 1892.

SEAL

William Nelson
Clerk of the U. S. Court.

By N. S. Young Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, J. D. Shoemake, a Minister of the Gospel, Do Hereby Certify, that on the 14 day of August, A. D. 1892, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 14 day of August A. D. 1892.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A, Page 184.

Wit. Sirbud Tally Betty Tally

A Minister of the Gospel.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Marshall L. Bragdon, , Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 28th day of August 1892, at 8 AM M., and duly recorded in Book B, Marriage Record, Page .

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 18 day of August, A. D. 1892.

SEAL.

Marshall L. Bragdon Clerk.

By Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., February 6, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of

Albert Shepard, as a citizen of the Cherokee Nation.

Commissioner.

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 6 1902

Cherokee D #157

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Albert Shepard for enrollment as a citizen by intermarriage of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on August 22, 1900, Mollie Shepard appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment, among others, of her husband, Albert Shepard, as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 19, September 29 and November 11, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that the applicant, Albert Shepard, is identified on the 1880 authenticated tribal roll of the Cherokee Nation as an adopted white, having married one Margret Polston, a Cherokee citizen, in 1877.

The evidence further shows that the said Albert Shepard lived with his said wife, Margret, until she died and that, subsequent to her death, on August 14, 1892, he married one Mollie Tally, a citizen by blood of the Cherokee Nation. The said Albert Shepard is also identified on the 1896 census roll of the Cherokee Nation.

Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of Cherokee citizens "with such intermarried white persons as may be entitled to citizenship under Cherokee laws."

Section 666 of the Compiled Laws of the Cherokee Nation (1892) is as follows:

> "Should any man or woman, a citizen of the United States or of any foreign country, become a citizen of the Cherokee Nation by intermarriage and be left a widow or widower by the decease of the Cherokee wife or husband, such surviving widow or widower shall continue to enjoy the rights of citizenship, unless he or she shall marry a white man or woman, or person (as the case may be), having no rights of Cherokee citizenship by blood; in that case, all of his or her rights acquired under the provisions of this act shall cease."

The evidence in this case shows that the said Albert Shepard acquired rights of Cherokee citizenship through intermarriage with his first wife, Margret Polston, and that, subsequent to her death, he married his present wife, Mollie, a Cherokee citizen by blood.

The evidence further shows that the said Albert Shepard has continuously resided in the Cherokee Nation since the date of his first marriage, in 1877, and that he was the lawful husband of his present wife, Mollie, on September 1, 1902.

Ch. D #157

It is, therefore, the opinion of this Commission that the said Albert Shepard should be enrolled as a citizen by intermarriage of the Cherokee Nation in accordance with the provisions of Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

this FEB -7 1903

COPY.

DEPARTMENT OF THE INTERIOR,

Commissioner to the Five Civilized Tribes.

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of Frank Howard, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee enrollment cards corresponding to the numbers following their respective names, viz:.

Frank Howard	281	Georgia A. Walker	4392
Julia A. Alberty	513	Mary A. Journeycake	4475
Angeline Oer	968	Pat Flanagan	4517
Nancy E Twist	1028	Ethic Foster	4613
Samuel D. Harp	1556	Albert F. Johnson	4616
Marquis D. L. Dowell	1707	Alexander H. Knaggs	4617
Lindsey Wallace	2020	Jackson W. Drake	4654
Richard Southerlin	2058	James E. Burrows	4672
George W. Kirk	2273	William P. McClellan	4740
Caroline P. Waybourn	2510	Samuel A. Wells	5262
George W. Talbott	2892	Mary J. Thompson	5492
Thomas J. Jordan	2946	Jeremiah Y. Stokes	5543
Robert B. Neighbours	3002	John G. Butler	5639
James B. Smith	3483	Ora B. Downing	5699
Rachel Silverheel	3703	James W. McSpadden	5724
Frederick Fluke	3858	Jeremiah Springston	5773
David Stinger	4059	Hettie Holland	5799
Huldah Bennett	4265	Merriweather G. Reagan	5821
Amos V. Flint	4370	Bartley E. Scott	5831
Louvena Alberty	5891	Henry A. Frye	6664
Katie L. C. Duncan	5917	William B. Taylor	6761
William F. Roberts	5945	Saline Runels	6764
Leonidas Dobson	5997	Thomas M. Bird	6939
James L. Guinn	6053	Eugene L. Bracken	7008
Dora Lowery	6073	Elizabeth Latta	7058
Mary E. King	6157	Stephen M. McDaniel	7068
Maggie Sevier	6196	Rebecca Miller	7135
Thomas Johnson	6262	George W. Ritchie	7293
Eliche Mathis	6278	Fannie E. Cummings	7550
Rosanna Wood	6337	Nancy Hicks	7837
Edward W. Rackleff	6342	John S. Skillman	9993
Lou McCoy	6417	Willis Davis	10019
William Sullivan	6419	Albert Shepard	10106
Kizzie Linder	6429	Charles F. McGinnis	10121
Josephine Rider	6436	Hugh Campbell	10144
Francis A. Meek	6522	Mary J. Glass	10229

THE RECORDS FURTHER SHOW That the names of said persons appear upon the Cherokee authenticated roll of 1880; that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

IT IS THEREFORE ORDERED AND ADJUDGED That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird et al. vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Tams Bixby
COMMISSIONER

Dated at Muskogee, Indian Territory,

this Jan. 10 1907

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. H. BOOGHER

ALEXIS I. ARLEDGE
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 3rd 1902

Mrs. Wollie Sheppard,

Checotah, Indian Territory.

You are hereby notified that the application of Albert Sheppard

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

19th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of marriage.

Yours truly,

Cherokee D-197.

Register.

Acting Chairman.

COPY.

Cherokee E-157.

Muskogee, Indian Territory, February 2, 1903.

W. V. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Mollie Shepard for the enrollment of her husband, Albert Shepard, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. E-19.

COPY.

Cherokee 1-137.

Muskogee, Indian Territory, February 25, 1903.

Mollie Shepard,

Chewatah, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of your husband, Albert Shepard, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. E-106.

Register.

Vinita, Indian Territory, March 3, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of the Commission's letter of February 26, enclosing cards and original records, among others, in Cherokee cases D-157, Albert Shepard and D-453, Fred Masy; also the record in Cherokee case 4184, Sylvester S. Hurst, et al. These cases are transmitted for transfer to straight cards.

I respectfully request that the original jackets in the three cases above named be transmitted to this office. Jackets in cases D-453 and 4184 are in the possession of Mr. W. J. Sullivan. The jacket in case D-157 is in the possession of Mr. J. A. Getner.

I also respectfully request to be advised if jacket N.-590, Henry Odell is in the office of the Commission at Muskogee.

Respectfully,

Clerk in Charge.

CRS

Cherokee
10106

Muskogee, Indian Territory, January 10, 1907.

Albert Shepard,

Checotah, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn.____B____ Commissioner.

(COPY)

DEPARTMENT OF THE INTERIOR,

LAND
12493-1907. OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 14, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

On January 19, 1907, the Office transmitted the decision of the Commissioner to the Five Civilized Tribes relative to applications for the enrollment of Frank Howard, et al, as citizens by intermarriage of the Cherokee Nation. The decision includes the applications of seventy-two persons found by the Commissioner to be not entitled to enrollment under the decision of the Supreme Court of the United States in the case of Daniel Red Bird, et al, against the United States.

It appears from the record in the case that the names of all of the applicants are found on the authenticated 1880 roll of citizens of the Cherokee Nation, and the Office in transmitting the record did not consider this phase of the case. On January 31, the Department was requested to return the record in the case for further consideration by the Office. It was returned with Department letter of February 6, 1907, I.T.D. 1390.

With reference to the names of these applicants being on the 1880 roll Mr. Bixby says:

> THE RECORDS FURTHER SHOW: That the names of said persons appear upon the Cherokee authenticated roll of 1880; that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

As the applicants were not married to citizens by blood of the Cherokee Nation in accordance with the laws, usages and customs of the tribes prior to November 1, 1875, they are not entitled to enrollment, unless it be by virtue of their names being on the 1880 roll. By the provisions of Section 21 of the Act of June 28, 1898 (30 St t.L.,495), the roll of Cherokee citizens of 1880, not including freedmen, is confirmed, and the Commission is directed to enroll all persons whose names are found on that roll and their descendants born since the date of the roll. It is then provided that other rolls shall be examined and that the names of all persons found on the other rolls not placed thereon by fraud or without authority of law shall be enrolled.

The only question in the case seems to be whether a confirmation of this roll by Congress entitles a person whose name appears on said roll to enrollment as a citizen of the Cherokee Nation who would not otherwise be entitled to such enrollment.

The Supreme Court in the case of Wofire vs. the United States (164 U. S., 657), said:

(Syllabus)

The fact that a marriage license has been issued carries with it a presumption that all statutory prerequisites thereto have been complied with, and one who claims to the contrary must affirmatively show the fact.

.....

The evidence showed that the deceased Beagle, in his lifetime, to be known a citizen of the Cherokee Nation, took all the steps he supposed necessary therefor, considered himself a citizen, and that the Cherokee Nation in his lifetime recognized him as a citizen and still asserts his citizenship. Held, that, under those circumstances, it must be adjudged that he was a citizen by adoption, and consequently that the jurisdiction over the offense charged is, by the laws of the United States and treaties with the Cherokee Nation, vested in the courts of that Nation.

In the case of Daniel Red Bird, et al, vs. the United States the Supreme Court said:

The roll of 1880, made by the Cherokees, was a census roll, and its confirmation was not intended to create any rights which citizens of the Cherokee Nation had not before enjoyed, but merely to furnish the basis for making up the roll of citizens. Section 21 was in reality a statement that no previous act of Congress was intended to confirm any other roll of the Cherokee Nation.

.....

Section 31 of the Act of July 1, 1902, says that no person whose name does not appear on the roll made by the Commission to the Five Civilized Tribes "shall be entitled to in any manner participate in the distribution of the common property of the Cherokee Tribe, and those whose names appear thereon shall participate in the manner set forth in this act." In other words, the roll must be made up of citizens who under the laws of the Cherokee Nation were entitled to participation in the distribution of the common property of the Cherokee tribes.

The concluding words of section 21, "with such intermarried white persons as may be entitled to citizenship under Cherokee laws," emphatically indicate that Congress had the Indian citizen in mind in all that went before and limited enrollment of white persons to such as might be entitled to citizenship under Cherokee laws.

From the foregoing quotations it is evident that the Supreme Court makes a distinction between citizens having political rights only and those having all rights, including the right to share in the distribution of the land and other property of the Cherokee Nation. This being true, it is evident that Congress did not intend that any person should be given the right to share in the property of the Cherokee Nation simply because his name was on some roll of that nation that had been confirmed by Congressional action unless it is there as a full citizen and not as a citizen with political rights only.

The Office is of the opinion that the persons whose names appear in the record enclosed are not entitled to enrollment as citizens by intermarriage of the Cherokee Nation, and the approval of the Commissioner's adverse decision is recommended.

Very respectfully,

C. F. Larrabee,

GMS-GV

Acting Commissioner.

D.C.10668-1907 (COPY)

I.T.D.3422-1907.

LRS DEPARTMENT OF THE INTERIOR, LLB JFJr

Direct. WASHINGTON.

February 20, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On February 14, 1907 (Land 12493), the Indian Office transmitted your report dated January 10, 1907, in the matter of the applications for the enrollment of Frank Howard and seventy-two others as citizens by intermarriage of the Cherokee Nation, together with your decision, adverse to said applicants.

The Indian Office concurs in your recommendation. A copy of its letter is inclosed.

It appears that the names of said persons appear upon the Cherokee authenticated roll of 1880 and that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

In view of the decision of the Supreme Court of the United States dated November 5, 1906 in the case of Daniel Red Bird et al. vs. the United States, it is considered that your deci-

sion, adverse to these persons, is correct, and it is hereby affirmed.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos. Ryan.

1 ine and 3 to Ind Of. First Assistant Secretary.

AFMc
3-21-07

Cherokee 10106.

Muskogee, Indian Territory, March 7, 1907.

Albert Shepard,

Cheesetah, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, February 20, 1907.

Respectfully,

Commissioner.

MLR.

Cherokee 2Ll, et al.

Muskogee, Indian Territory, March 7, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is enclosed for your information a copy of Departmental decision of February 20, 1907, rejecting the applications for the enrollment of Frank Howard, et al., as citizens by intermarriage of the Cherokee Nation.

Respectfully,

MCB

Commissioner.

Cherokee
10106

Muskogee, Indian Territory, April 4, 1907

Tom F. Owens,

Checotah, Indian Territory.

Dear Sir:

This office is in receipt of your letter of March 30, 1907, asking to be informed as to the status of the Cherokee intermarried case of Albert Shepard.

In reply you are advised that on January 10, 1907, the Commissioner rendered his decision denying the application for the enrollment of Albert Shepard as a citizen by intermarriage of the Cherokee Nation, and that on February 20, 1907, said decision was affirmed by the Secretary of the Interior.

That part of your letter relative to the disposition to be made of improvements owned by intermarried whites will be made the subject of a separate communication.

Respectfully,

L M B

Acting Commissioner

K [illegible]

[illegible] paid

[illegible]

[illegible]

~~voted~~ [illegible]

[illegible]

[illegible]

[

Cher 10107

Fred Macy

Trans. from D453

Cher 10107

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., September 27, 1900.

In the matter of the application of Fred Macy for the enrollment of himself as a Cherokee by intermarriage and his wife and two children as Cherokees by blood; being sworn and examined by Commissioner Breckenridge, he testified as follows:

Q Give your full name? A Fred Macy.
Q How old are you? A 35.
Q What is your post office? A Bluejacket.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the roll? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Two children.
Q Do you apply for yourself as a Cherokee by blood? A No, sir, by adoption.
Q Is your wife a Cherokee by blood? A Yes, sir.
Q What proportion of Cherokee blood do you claim for her? A About 1/16.
Q Have you your marriage license and certificate? A I have a certificate, but I haven't any license.
Q Did you never procure a license? A No, sir.
(The applicant presents a certificate showing that he was married by the Clerk of Goweseescowe district, October 20, 1894, to Miss Lorena E. Howell. It makes no mention of a license, he does not produce a license, and states that he did not procure one. This is filed herewith.)
Q Have you and your wife lived together as husband and wife ever since you married her in 1894? A Yes, sir.
Q And lived all the time in the Cherokee Nation? A Yes, sir.
Q Your wife's name is correctly stated in the certificate of marriage which has been cited? A No, sir, I think the way she spells her name is Lorena, otherwise it is like that.
Q Give me now your wifes correct name? A Lorena E. Howell.
Q How old is she? A She is in her 32nd year I think.
Q Is she a native of the Cherokee Nation? A No, sir, she wasn't born here, she was readmitted with the family of C. M. Howell.
Q Have you a certificate of readmission? A No, sir, Mr. Howell has that.
(The applicant presents an official copy of Council Bill No. 18, approved December 5, 1883, showing that certain persons were readmitted to citizenship, and among them appears the name of Lorena E. Howell.)
Q That is the maiden name of your wife, is it? A Yes, sir.
(This is recognized as official evidence of the admission of his wife as stated.)
Q Now that act of admission that you have just heard required that those admitted come to the Cherokee Nation within six months after the approval of the act. Your wife's father has been examined here and stated that he and his family came here within the Month of May, 1884. Do you claim that your wife came here at that time? A Yes, sir, she came here with the balance of her family.
Q In May, 1884? A Yes, sir.
Q And she has lived here continuously ever since she came here in May, 1884? A Yes, sir.
Q Now give me the names of the children, please? A Vere V., 5 years old.
Q Your next child? A Reena G., 3 weeks old.
(Fred Macy on 1896 roll, page 314, No. 6858, Goweseescowe district. Lorena E. Macy on 1896 roll, page 315, No. 6859, Lorena Macy, Goweseescowe district. Vere[illegible] Macy on 1896 roll, page 315, No. 6860, Goweseescowe district.)

Q These children all living now, are they? A Yes, sir.
Q You state that you did procure a license, but that the clerk told you he would make it out and send it to you? A Yes, sir.
Q Did you conform to all the requirements of the Cherokee law that were necessary to obtain a license? A Yes, sir.
Q Did you have a list of signers? A Yes, sir, ten Indian citizens.
Q Did you take your oath of allegiance to the Cherokee Nation?
A Yes, sir.
Q And paid the required fee? A Yes, sir.
Q Then there was nothing in the proceeding omitted on your part?
A No, sir.
Q Only the clerk failed to give you official evidence of what you had done? A Yes, sir, nothing further than the certificate.

The applicant applies for the enrollment of himself, his wife and two children. His wife is shown by the official document cited in the testimony to have been admitted to Cherokee citizenship in December, 1895, she came to the Cherokee Nation within the limit required by the Act of admission in May 1894, and has resided here ever since. Her change of name is established by the marriage license and certificate filed herewith, she is identified on the roll of 1896, and she will be listed now for enrollment as a Cherokee by blood. Her husband is shown to have married her in 1894, according to the certificate filed herewith, he is identified with her on the roll of 1896, but he presents no license for marriage, and states that he did not procure a Cherokee license. They have lived together ever since their marriage. He states that he complied with all the legal requisites necessary to procure a license; that he presented a list of signers, took the oath of allegiance to the Cherokee Nation, and paid the fee required by law. His application for enrollment will be placed upon a doubtful card and he is required to supply the Commission with official evidence, which he doubtless can procure at Tahlequah, that he conformed to the requirements of the Cherokee law, which should indicate that only the Clerk has been remiss and that doubtless should not disparage the rights of the applicant, whenever the facts as indicated are established. His children, Vera W., is identified with her parents on the roll of 1896, she is living at this time, and she will be listed for enrollment as a Cherokee by blood. When the Commission is supplied with a proper certificate of the birth of the younger child, Emma S., this child also will be listed for enrollment as a Cherokee by blood.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

_____

Sworn to and subscribed before me this the 29th of September, 1903

_____

Commissioner.

Pub 2

13

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 27 2000

DECLARATORY
Statement of Applicant Taken Under Oath

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 2 1900 1900.

Name Fred Tiger

District Tahlequah Year Page 3/4 No. 632

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

I. 1153

File in C. D.453

No 3590

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T. September 27, 1900.

In the matter of the application of Charles M. Howell for the enrollment of himself and three children as Cherokees by blood and his wife as a Cherokee by intermarriage. Being sworn and examined by Commissioner Breckinridge, he testified as follows:

Q Give me your full name? A Charles M. Howell.
Q How old are you? A 43 years old.
Q What is your post office? A Bluejacket.
Q In what district do you live? A Coowescoowee.
Q Who is it you want to have put on the roll? Yourself? A Myself and family.
Q That includes a wife? A Yes sir.
Q How many children? A Three single.
Q Do you apply for yourself as a Cherokee by blood? A Yes sir
Q What proportion of Cherokee blood do you claim? A 1/8
Q Is your wife a Cherokee? A No sir.
Q Is she a white woman? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I was admitted in December 1893 and have been here ever since.
Q Have you a copy of your certificate of admission? A Yes sir.
(The applicant presents an official copy of the act of the Council approved December 5, 1893, Bill No 18, readmitting certain persons to Cherokee citizenship on condition that they move within the Cherokee Nation within six months after the approval of the Act, and among them appears the name of Charles M. Howell.)
Q That is your name? A Yes sir.
(This is recognized as official evidence of the facts stated.)
Q Did you come to the Cherokee Nation within six months after the approval of this Act? A Yessir.
Q Were you in the Cherokee Nation at the time this act was approved? A I moved my family in May 13.
Q Of what year? A Of 1894.
Q Have you lived in the Cherokee Nation ever since you come here in May 1894? A Yes sir.
Q Give me your wife's name? A Amanda E.
Q How old is she? A 38 .
Q When did you marry her? A It was in 1877 I think.
Q Have you and your wife lived together ever since you were married in 1877? A Yes sir.
Q Did she come with you in May 1894 when you come here? A Yes sir.
Q She has not been admitted by the Cherokee Council as you have? A No sir.
Q Were you ever married to her after you came here under Cherokee law? A No sir, I was not.
(The applicant presents a marraige license from Chautauqua County Kansas, issued by the Probate Judge, authorizing his marriage to Amanda E. Walker, the said license being dated February 6, 1877, and the certificate shows that they were married by Aaron Lamb, Justice of the Peace, on February 7, of the same year. This is filed herewith.)
Q Give me the names of your children, please. Of these three? A Gracie P., 18 years old.
Q The next child? A Carl J., 16 years old.
Q The next child? A Flossie F., 8 years old.
Q Some of these children were living when you were admitted to the Council? A They were all living.
Q Were they admitted with you? A Yes sir.
(The certificate just cited contains the names of Gracie P. Carl J. and Flossie F. Howell.)

Chas. M. Howell - 2 -
Q These are the names of the children for whom you apply now, are they? A Yes sir.
Q These children all living now, are they? A Yes sir.
(Charles M. Howell, on 1896 roll, page 176, No 2224, Cooweescoowee District, Amanda E. Howell, on 1896 roll page 309, No 525 Cooweescoowee District, Gracie P. Howell on 1896 roll page 176, No 2225, Cooweescoowee District. Carl J. Howell on 1896 roll page 176, No 2226, Carlie J. Howell, Cooweescoowee District. Flossie F. Howell on 1896 roll page 176 No 2227 Cooweescoowee District.)

Q Your wife's maiden name was Amanda E. Walker, was it? A Yes sir.
Q These three children came with you in 1893 when you came here? A In 1894, yes sir.

The applicant applies for the enrollment of himself, his wife and three children. He is shown to have be en admitted to Cherokee citizenship in December 1893, on condition that he moved to the Cherokee Nation within six months after the admission, and he came to the Cherokee Nation within the prescribed limits. He has lived here ever since, and he is identified on the roll of 1896, and he will be listed now for enrollment as a Cherokee by blood. His three children, enumerated in the testimony, were admitted at the same time, and in the same manner that he was. They came with him within the prescribed limit to the Cherokee Nation and have lived here ever since. They are identified on the roll of 1896, and they will be listed now for enrollment as Cherokees by blood. His wife is shown to have married him in 1877, and she is identified with him on the roll of 1896. They have lived together ever since their marriage she came with him to the Cherokee Nation, but she is not included in the certificate of admission, nor has she ever been remarried to him under Cherokee law. For the further consideration of her status, the application for her enrollment as a Cherokee by intermarriage will now be placed upon a doubtful card.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the proceedings and testimony in the above case, and that the foregoing is a true and complete transcript of his stenographis notes thereof.

Signed, Bruce C. Jones
Sworn to and subscribed before me this the 29th day of September 1900
C. R. Breckinridge, Commissioner.

, Ella Mielenz being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she made the foregoing copy, and that the same is a true and correct copy of the original transcript.

Ella Mielenz

Subscribed and sworn to before me this 3rd day of May, 1902.

Notary Public.

FILED

— L. 3 —

Council Bill No 18

An act to re-admit Charles W. Howell and Children to Citizenship

Be it enacted by the National Council of the Cherokee Nation that Charles W. Howell Zorena E. Howell Gracie P. Howell Carl J. Howell and Flossie M. Howell be, and they are hereby readmitted to all rights and privileges of native born Cherokees. Provided that the said Charles W. Howell and said Children become within the limits of the Cherokee Nation within six months after the approval of this act Otherwise this act shall be null and void

Passed the Council Dec 1st 1893

S. H. Dick Nicholas Pritchett
Clerk Nat Council Speaker Pro tem Council

Concurred in in the Senate with the following amendment, That no rights accrue to the parties until the said parties shall re-locate in the Nation and have reported to the Principal Chief that fact Dec 4th 93

W. C. Blair Rich'd Mitchell
Sec of Senate Pro tem President of the Senate

Approved Dec 5th 1893

C. J. Harris
Principal Chief

I R. T. Hanks. Assistant Executive Secretary do hereby Certify that the aforegoing One page is a true and correct Copy of the Original as appears of record in the Executive Department of the Cherokee Nation

Given from under my hand and the Seal of the Cherokee Nation on this the 12th day of Jan 1895

R. T. Hanks
Asst Executive Secy

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 23, 1900.

D. 453.

In the matter of the application for the enrollment of Fred Macy as a Cherokee citizen.

Additional testimony.

Joseph K. Lacey, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A Joseph K. Lacey.
Q How old are you? A 35.
Q What is your post office? A Claremore.
Q How long have you lived in the Cherokee Nation? A Practically all my life you might say.
Q Were you at one time Clerk of Delaware-Cowee district? A I was.
Q Did you issue a certificate of marriage to Mr. Fred Macy? A I did
Q Did you ever issue a certificate of marriage except when there has been a marriage license issued? A No, sir.
Q He has presented a certificate of marriage here, issued by you, and it is filed in his case, but has no marriage license. Have you any personal recollection of having issued him a marriage license?
A Yes, sir.
Q Ought not the record of your office to show the fact of the issuance of the license? A I think so.
Q Where are these records? A At Tahlequah.
Q In the custody of the Executive Office? A Yes, sir.
Q Would he have been entitled to any certificate unless he had procured a marriage license? A No, sir.
Q Does the fact that he received the certificate show that he has conformed to all the requirements of the marriage license? A Yes, sir.
Q You performed the marriage ceremony? A Yes, sir, I remember the circumstances very distinctly. I married them in the parlor of the Hotel Cobb at Vinita, and he had all his prerequisite papers, and I performed the ceremony and he presented the proper papers and paid the proper fee and I married them myself.
Q Did he take the oath of allegience to the Cherokee Nation? A Yes, sir. The trouble about the license was, he presented the prerequisites for the license, and I married them and I was away from the office, and I told him I would issue the license, and I issued the license and I expect they are in the office there yet.
Q He performed all the things to entitled him to a license, did he?
A Yes, sir, he presented all the proper ~~xxx~~ prerequisites before I performed the ceremony.

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Bruce S. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce S. Jones

Sworn to and subscribed before me this the 23rd of October, 1900.

Commissioner.

File in Ch. D. 453

No. 3590. SUPPLEMENTAL TESTIMONY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tahlequah, I. T. December 4th, 1900.

SUPPLEMENTAL TESTIMONY in the matter of the application of Charles M. Howell for enrollment as a citizen of the Cherokee Nation:

WILLIAM PARTAIN being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give your name there, please? A William Partain.
Q How old are you Mr. Partain? A I was 78 the 30th of last June.
Q What is your post office? A Spavinaw.
Q How long have you lived in the Cherokee Nation? A Three years.

INTERROGATORIES BY W.W.HASTINGS, Cherokee Representative:

Q Where did you come from when you came to the Cherokee Nation?
A Come from Arkansas.
Q Where were you originally from? A Georgia.
Q What county? A I come from Pickings County.
Q Do you know Charley Howell who lives at Bluejacket, Indian Territory? A Yes sir, I have seen him.
Q Did you know his parents in Georgia? A Yes sir.
Q What was his father's name? A William F. Howell, he always went by the name of Franklin Howell.
Q What was his mother's name? A Mary Howell.
Q What relation if any, was Charley Howell's father to you? A He was my mother's brother.
Q How near did he live to you? A I reckon about eight miles.
Q You knew him well? A Yes sir.
Q Was Charley Howell's father a Cherokee? A Never claimed to be such.
Q Was his mother a Cherokee? A Never claimed to be such.
Q You knew them well there? A Yes sir, I knew them a short time after they married.
Q His father was your uncle? A Yes sir.
Q Have you ever seen Charley Howell since you moved to the Cherokee Nation? A I never have since I moved to the Cherokee Nation; I saw him when I lived at Siloam Springs.
Q Where was Charley Howell going when you saw him? A He said he was going to Tahlequah to establish a right.
Q When was that? A About 1893 or '94.
Q Did you have any talk with him about establishing his right?
A He asked me if I was not going to establish mine and I told him that I had no right, that I had no Cherokee blood in me and that I would have to swear that I had to get one.
Q He alowed I could get the evidence if I wanted it.
Q Did he say anything about the evidence that he had? A I think he told me some of the Morton boys as well as I recollect.
Q Whom did he claim that he was getting his Cherokee blood through?
A One Mary Ann Howell.
Q Did you tell him that she was not a Cherokee? A I told him that Mary Ann Howell was, but that she was not his mother.
Q What did he say to that? A He claimed that it was all right.
Q He did not claim to you that Mary Ann Howell was his mother?
A No sir.
Q He told you that he was going to get in through Mary Ann Howell, through his claiming her as his mother? A Yes sir, Mary Ann Howell I reckon about one-sixteenth Cherokee. Her maiden name was Mary Ann Martin, and this man's mother was Mary Martin but she was not a Cherokee. Mary Ann Martin was the Cherokee and Mary Martin was a white woman.
Q But Mary Ann Martin was not this man's mother? A No sir.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings of the above witness, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson.

Subscirbed and sworn to before me this 5th day of December, 1900.

C. R. Breckinridge.
Commissioner.

Ella Mielenz, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes she made the above copy and that the same is a true and correct copy of the original transcript.

Ella Mielenz

Subscribed and sworn to before me this 3rd day of May, 1902.

Notary Public.

"R"

D 453

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 27, 1902.

In the matter of the application of Fred Macy, for the enrollment of himself as a citizen of the Cherokee Nation:

Applicant was notified by registered letter on February 11, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration of the Commission on the 27th day of February, 1902.

Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 27th day of February, 1902, appears by his attorney James S. Davenport.

The Commission: Is there any statement you desire to make Mr. Davenport ?

Mr. Davenport: In compliance with the request of the Commission I want to present an act re-admitting the family of Charley Howell, of which family the applicant's wife Lorena E., was one at the time of re-admission, so that the certificate may be copied, and the certificate returned to the applicant.

The Commission: The document will be filed.

Mr. Hastings: The representatives of the Cherokee Nation desire that the testimony introduced in the case of Charles M. Howell, straight card No. 3590, be introduced and made a part of the record in this case.

The Commission: The request of the representatives of the Cherokee Nation will be complied with and the testimony made a part of the record in the case at bar.

Mr. Davenport: The applicant desires to call attention to the evidence given in the case of Joe M. Lahay, who was clerk of Coowescoowee District at the time he was married and who solemnized the marriage, upon the question of his not presenting the marriage license, showing by the clerk that it seemed to have gotten mislaid or was not recorded by him.

Mr. Hastings: The Cherokee Nation desires to call attention to the testimony filed in this case, and particularly with reference to that of Mr. Partin in the Charles M. Howell case, which shows that he was not a Cherokee by blood; and that he obtained his re-admission to citizenship by fraud.

The Commission: The attorney for the applicant and the representatives of the Cherokee Nation present, submit this case, and the same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof

E. C. Bagwell

Subscribed and sworn to before me this February 28, 1902.

Commissioner.

Cherokee D 453.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 29, 1902.

In the matter of the application of Fred Macy for enrollment as a citizen by intermarriage of the Cherokee Nation.

FRED MACY, being sworn, testified as follows:

SUPPLEMENTAL PROCEEDINGS.

By the Commission,

Q What is your name? A Fred Macy.
Q How old are you, Mr. Macy? A Thirty-seven.
Q What's your postoffice? A Bluejacket.
Q Are you an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A I am.
Q What's your wife's name? A Lorene E.
Q Is she living? A Yes,sir.
Q Is she a Cherokee citizen by blood? A Yes, sir.
Q When were you married to her? A October 30, '94.
Q Had you ever been married before your marriage to this wife?
A No, sir.
Q Had she ever been married before her marriage to you? A No, sir.
Q Were you married under Cherokee license? A Yes, sir.
Q Have you filed your license with the Commission? A No, sir.
Q Where is your license? A Well, I have been unable to procure a copy of my license. No record of it, I believe.
Q Have you made proof of that fact here to the Commission already?
A Yes, sir.
Q Furnished all the proof on the subject of the license? A Yes, sir, with the exception of Mr. Howell - C. M. Howell - and my father-in-law said a witness to swear to my marriage will be here tomorrow, but I have given all the other evidence I could procure.
Q Have you and your wife, Lorene, lived together since your marriage up to the present time? A Yes, sir.
Q You have never been separated? A No, sir.
Q You and she living together as husband and wife on the first day of September, 1902? A Yes, sir.
Q Have you lived in the Cherokee Nation allthe time since your marriage to your wife in '94 up to the present time? A Yes, sir.
Q Never lived out of the Nation since your marriage? A No, sir.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 6th day of December, 1902.

F. B. Austin
Notary Public.

Cherokee D-453.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 31, 1902.

In the matter of the application of Fred Macy for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Charles M. Howell, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Charles M. Howell.
Q How old are you, Mr. Howell? A Thirty-four.
Q What is your postoffice? A Bluejacket.
Q Are you acquainted with Fred Macy who is an applicant for enrollment as an intermarried citizen? A I am.
Q What is his wife's name? A Lorena E.
Q When was he married to Lorena E.? A '93 I believe it was.
Q Was he married under a Cherokee license? A Yes sir. He was married by the Clerk and had all signers.
Q Did you ever see his marriage license? A No sir.
Q Were you present at his marriage? A I was.
Q You saw him married? A Yes sir.
Q Has he and his wife lived together ever since his marriage? A Yes sir.
Q Never separated? A No sir.
Q Living together at this time? A Yes sir.
Q Who married them? A Joe La Hay, Clerk of Cooweescoowee District.
Q Married at his office? A No sir, married at the Cobb Hotel.
Q Was he ever married before he married this woman? A Not that I know of.
Q Was she ever married before she married him? A No sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recordd the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

B. F. Rutherford

Subscribed and sworn to before me this 15th day of December, 1902.

[illegible]
Notary Public.

Cherokee D 453

CERTIFICATE OF MARRIAGE.

Cooweescoowee District,)
Cherokee Nation, Indian Territory.

I, Joe M. Lahay, Clerk of Cooweescoowee District, Cherokee Nation, do hereby certify that Fred Macy of Bluejacket, I. Ty, and Miss Lorene E. Howell of Bluejacket, I. Ty. were by me joined in marriage on this the 30th day of October 1894 agreeable to the authority in me vested, under the laws of the Cherokee Nation, Indian Territory.

In Witness Whereof I have hereunto set my hand and Official Seal on the day and date above written.

J. M. Lahay

(S E A L) Clerk Cooweescoowee District,

Cherokee Nation, Ind Ter

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the original on file in this office.

Cherokee 1453.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Fred Macy for enrollment as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N

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The record in this case shows that on September 27, 1900, Fred Macy appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by intermarriage of the Cherokee Nation. The other parties to the application are differently classified, and are not embraced in this decision. Further proceedings in the matter of said application were had at Claremore, Indian Territory, on October 23, 1900; at Tahlequah, Indian Territory on December 4, 1900; and at Muskogee, Indian Territory, on February 27, October 29 and October 31, 1902. The testimony taken at Vinita, Indian Territory, on September 27, 1900, in the matter of the application for the enrollment of Charles M. Howell et al., as citizens of the Cherokee Nation, is made a part of the record herein.

The evidence shows that on October 30, 1894, the applicant, a white man, was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, to one Lorena E. Howell, a Cherokee citizen by blood; that the said Lorena E. Howell, among others, was admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council, approved December 5, 1893, upon condition that she remove to the Cherokee Nation within six months after the approval of said Act. It appears that she removed to said Nation in May, 1894, thereby complying with the proviso in said Act. It further appears that the applicant and his said wife are identified on the 1896 Cherokee census roll.

The evidence further shows that the applicant and his said wife have lived together as husband and wife, from the date of their said marriage up to and including September 1, 1902; and that he has resided in the Cherokee Nation continuously from 1892 up to and including the date of this application.

It is, therefore, the opinion of this Commission that Fred Macy should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Dated at Muskogee, Indian Territory,

this FEB - 2 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A Edens	62	Joseph P. Willis	584
Adda B Ward	69	James T. Miller	598
Samuel G Victor	73	George A. Waters	632
Sarah M Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A Patton	679
William H Ford	173	Benjamin G Holland	763
Thomas N Wilson	185	Wilham Gordon	798
Ume Ann Smith	206	Meggie Patterson	804
Susan M Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Wilis	230	Susie Fivekiller	867
Mary A. Wilkie	248	John F. Carden	881
John W Thurman	263	William H. Burrow	907

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Eva Adair	1913
Henrietta Irving	1920
Basil Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2040
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Gunn	2159
Rebecca J. Elving	2172
Thomas J. Measles	2192
Juha Coody	2215
Sarah Crutchfield	2224
Henry F. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Smager	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3040
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Elisa Henderson	3198
David E. Jenkins	3212
Lizzie Falling	4234
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Marton	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Juha M. A. Russell	3386
Andrew J. Smith Jr.	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
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Jonithan A. Wilson	3841
Charles F. Covey	3868
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Lathan Lumbard	3891
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Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkerson	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4180

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
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Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
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Quinn Carr	4387
William A. Powell	4390
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Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Juha Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4618
William Moore	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
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Ada Bertholf	4642
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Mont C. Frazier	4653
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John F. Smith	4689
Rufus S. Steward	4691
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Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchison	4910
Henry D. McDonald	4920
Della McDaniel	4936
Dorothy Ratthuggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Dennie Burgess	5235

Mary B. Burgess	5236
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Amanda Foreman	5244
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James W. Goddard	5417
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Harry Jones	5525
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Anthony K. Douglas	5538
Joseph H. Johnson	5544
Harvey O. Riggs	5547
Alice Glass	5553
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Alice Coats	5572
John Kidd	5573
William R. Greer	5576
Rosa M. Stahller	5581
Nancy Inlow	5587
Danny H. Owen	5589
Annie R. C. Owen	5590
Jesse McKnight	5602
Clinto J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Pabon	5613
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Charley Hendrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
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Reuben E. DeLozier	5631
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Joseph S. Layne	5731
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Henry F. Enfinc	5786
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Richard L. Fite	5815
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Jack H. Merchant	5888
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George W. Weems	5922
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Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
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Lewis M. Payne	5985
Nancy Beamer	5988
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Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
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George C. Penfield	6031
Amelia Reese	6033
Alexander West	6036
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Frederick L. Lamar	6038
John T. Hall	6042
Mary L. Jordan	6049
John W. Broadnax	6056
James L. Dean	6059
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Marissa Hubbard	6069
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Hugh T. Williams	6163
Nate Reese	6172
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Rose J. [illegible]	6214
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Mary E. Campbell	6476
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Mary Wilkerson	6480
Nettie Ward	6484
Belle Thomas	6499
Martha E. McLarty	6508
Mary A. Brown	6517
Thomas W. Barlow	6530
Willie A. Wakefield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Minnie Conway	6560
James McInerney	6561
Hattie Carlile	6578
Sadie A. Wakefield	6580
Silas B. Bryan	6581
William S. Warren	6585
Emma J. Thompson	6589
Lucius McDaniel	6594
David W. Lamb	6595
Geo H. Barr	6603
Pleas Phillips	6622
Lucy E. Daniel	6628
William W. Turner	6690
Lillie B. Blackstone	6714
Mary Lillard	6716
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
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Jacob C. Johnson	6876
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Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hiklerbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Ruth M Norman	7155
Mary E Foreman	7158
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Philip Shultz	**7210**
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Minnie B Edmonds	7213
Eliza Jordan	7217
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Thomas M Price	7225
James G Wilson	7231
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John W Thompson	7267
Melissa Boyd	7271
Susan L Jackson	7273
Henry W Congleton	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7328
Myrtle Robinson	7330
Allen L Buckner	7331
James L Goad	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Kinsey Sapenicker	7378
Sarah J Johnson	7384
William L Bryant	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hammargren	7430
Bertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Bivens	7479
Sarah Ketcher	7498
Charles D Engman	7512
May Cochran	7544
Rebecca Oglesby	7569

Robert R Collins	7556
Nancy J Bivens	7579
Mary B Walkingstick	7682
Robert T Redbeam	7853
Mollie Merton	7895
Mattie Gains	8006
Mack Allred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Lonsome	9083
Annie Jackson	9084
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9280
Margaret Harmon	9378
Mary B Langley	9428
Ella Gravett	9439
William M Wilson	9444
David O Sage	9446
Harriett Lowes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
John C Answorth	9456
Mary J Cline	9460
Malinda Seaton	9462
Mary Champion	9464
Mollie P Minker	9465
Andrew Hennessy	9467
James J Tierney	9471
William Bate	9473
Mollie C Haines	9476
William H Thompson	9478
Mollie Devine	9481
Mary P Gentry	9482
Herbert N Lewis	9484
Nannie Graham	9485
Leona Cassidy	9489
Alexander B Cope	9502
Jennie Saunders	9503
Virgil A Whitacre	9505
Joshua A Carr	9510
Herbert Kassmann	9518
Hugh E Major	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Pemberton	9533
Maud Foreman	9539
Nellie Bryant	9542

Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
William Bugher	9577
James M Smith	9582
John E Nazworthy	9583
Beverly L Lafon	9587
Robert L Gentry	9590
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Rate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9636
Annie Sanders	9638
Mack H Martin	9640
Mary Ward	9653
George Givens	**9658**
Phoney Poorboy	**9660**
Charley Kiper	9671
Andrew J Snider	9672
William T Barton	9684
Daniel Crail	9770
Mary M Motte	9771
Leona E Herrin	9854
Gailen E Carmack	9855
Rosa B Barger	9857
Rachel Foreman	9858
Serepta C Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
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John B Delay	9881
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Guenther W Werther	9883
Margaret Crittenden	9884
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Sarah L Rogers	9891
Stephen Duncan	9892
Gideon D Sleeper	9895
William A Maddin	9896
John H Horton	9904
Hqwe L Rogers	9905
William Rush	9912
George W Edens	9916
William H Hall	**9920**
Edith B Pheasant	9935
Carrie A Collins	9936
Lucinda Spriggs	9937
Ella F Hail	9939
John W Harris	9949
Hannah Raper	9942
John J Coughran	9945
Youra F Waybourn	9946
Louisa J Taylor	9947
William M Evans	9948
William F Pierce	9940
May F Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M Cox	9964
Jerusha E Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W Fleming	**9994**
Samuel Holmes	**9995**
Walter H Talley	**9997**
Hannah J Miller	**9998**
Clara V Ward	10002
Stephen W Pittsenberger	10005
Mary E Palmour	10008
William T Partin	10011
Nellie Fields	10013
Sarah A Dawes	10015
Willard E Hutchins	10016
Jesse Talbert	10020
John E Setser	10021
Amanda E Howell	10022
Mamie J Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025	Millie A. Carnes	10113
Ida E. White	10026	Lucy E. Robards	10114
Addie R. Miller	10027	Edward H. Fitzgerald	10115
William R. Conley	10028	John T. Pickard	10117
James D. Canan	10029	Charles Rains	10118
[illegible]	10031	Nancy Mayfield	10123
[illegible]	10033	Anna B. Tittle	10124
[illegible]	10034	Richard A. Clark	10126
[illegible]	10035	Emma B. Martin	10128
[illegible]	10036	Walter L. Bates	10129
[illegible]	10037	Nellie Brewer	10130
[illegible]	10038	William Hefferman	10131
John E. Garner	10039	Levi Ackley	10132
John M. Hood	10043	Bessie Davis	10133
William Foster	10047	Eva Brackett	10135
Darius B. Troth	10049	Caleba Carnes	10136
Hagar A. Kelley	10050	Jacksie M. Waybourn	10138
Mary J. Purcell	10051	Minnie Shutt	10139
Mason L. Bronson	10052	Charles L. McClure	10140
George W. Fraser	10053	William W. Russell	10141
Jesse Lockhart	10054	Delia Jenkins	10142
Frances P. Ferry	10055	John A. Hood	10143
Marion P. Williams	10056	Oba Maxfield	10145
Solomon Lockwood	10058	Mary L. Cloud	10146
Lena B. Wood	10059	Callie Inlow	10147
James Pace	10060	Everett M. Lowrence	10148
Wiley B. McElhaney	10062	Dora E. Hays	10150
Nancy Parmer	10063	Julia M. Schrimsher	10151
James R. Stout	10072	Parnelia E. Lyman	10153
George Parker	10073	Charles F. Trickey	10161
Laura Morton	10074	Louisa J. Palmour	10169
John D. Keith	10075	George L. Walker	10170
Nettie Swift	10078	Annie Taylor	10171
Maggie Rawlings	10079	Josie Winters Hall	10174
David K. Scrimsher	10080	Alice Nichols	10181
Thomas J. C. Thompson	10081	Lizzie Dey	10182
Cora P. Harman	10082	Emma Murray	10183
William L. Singleton	10083	Annie Winton	10187
Lester Jones	10084	Marian Evans	10188
Ellen Marshall	10085	Elizabeth J. McClain	10192
Ella Bray	10087	Eliza J. Price	10190
David J. Matthews	10094	Reese Still	10200
Thomas Brown	10100	Hannah D. Langley	10201
Houston J. Payne	10103	Alma Keith	10203
Matilda L. Webber	10104	Flora A. Terrill	10204
Henry Gann	10105	Telesphora A. Parader	10205
Fred Mace	10107	Samuel Shadix	10206
Mary Russell	10108	Mary E. Childers	10207
Thomas B. Brown	10109	Robert M. Hamilton	10208
Osmond L. Milligan	10111	John Billingsley	10209

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Sarah A. Fields		10214	Adolphus J. Hallum	D	483
Susie Henderson		10216	Alexander Walker	D	490
Charles H. Rienhardt		10218	Albert J. High	D	491
William H. Watkins		10221	America Matoy	D	501
Frank M. Rucker		10222	Moses L. Grazier	D	503
Henry C. Reed		10224	Myrtle Hall	D	509
Laura B. Timberlake		10226	Wallace Thursday	D	544
George A. Brown		10228	Thomas W. Baker	D	546
Drucilla Lowrey		10232	Mattie E. Keys	D	550
Almira Mouse	D	9	William S. Edwards	D	560
Lenora Prather	D	16	Susan L. Reed	D	572
Andrew M. Cooter	D	17	William H. Lyman	D	574
Martin L. Stokes	D	28	Gracia Davis	D	577
Peter Walters	D	44	Edward C. Bolen	D	582
Columbus M. Reeves	D	58	Dora Guthrie	D	585
Sarah Barnes	D	103	Samuel H. Hawkins	D	594
George T. Kiddy	D	108	Lula M. Purcell	D	600
Henry C. Agent	D	139	Ben Estes	D	603
Joseph Phipps	D	147	Thomas M. Reynolds	D	621
Henry Hilton	D	149	Arthur Dodge	D	622
David A. McGlamery	D	161	Carrie L. McNair	D	624
Maggie Doublehead	D	169	Constantine N. Walker	D	641
Annie Lovett	D	180	Joseph Davis	D	648
Nora Hood	D	184	Leander A. Keys	D	650
John A. Johnson	D	232	James J. Barndollar	D	655
Nathaniel G. Simpson	D	242	Nathan J. Brink	D	682
Oneico W. Head	D	244	William S. Miles	D	688
Etta Taylor	D	245	Emma Waybourn	D	698
Susan V. Sullivan	D	262	Dora E. Rogers	D	708
Levi H. Tackett	D	263	James W. Turley	D	709
William H. Connelley	D	264	Lizzie Ward	D	711
Julia A. Sullivan	D	284	Robert J. Holly	D	713
May Fields	D	297	Belle I. Quinton	D	728
Katie Hummingbird	D	308	Francis M. Boothe	D	734
William F. Sager	D	320	Amos W. Lord	D	746
Lovick P. Garrison	D	334	Agnes N. Childers	D	749
Henry Grubb	D	338	John E. Renfrow	D	752
Lucy F. Lacey	D	340	William Coon	D	759
Callie Blevins	D	341	Louis Bruere	D	779
James S. Alfrey	D	355	Georgia A. Waybourn	D	746
Shadrack C. Wallen	D	368	Eliza Fields	D	747
Ada Hall	D	376	William H. Brown	D	760
Jane M. Hicks	D	396	William A. Cox	D	783
Fannie L. Dupree	D	403	Charles A. Robison	D	799
Willis Battles, Jr.	D	404	Artha Williams	D	809
Joshua W. Ellis	D	413	Adam Gearhart	D	816
Nina B. Owen	D	450	Cicero F. Rogers	D	835
John M. Robinson	D	456	Annie Garrett	D	836
Emery S. Thompson	D	464	George S. Yarbrough	D	823

Rhoda A Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Ginn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch Jr	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Cram	D	1099
Benjamin Strickler	D	1129
Nancy Spainard	D	1130
Annie Wilson	D	1133
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1170
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Respess	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1293
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Lonnie Wofford	D	1330
[illegible]	D	1332
[illegible]	D	1334
[illegible]	D	1337
[illegible]	D	1342
[illegible]	D	1352
[illegible]	D	1361
[illegible]	D	1363
[illegible]	D	1367
[illegible]	D	1369
[illegible]	D	1375
[illegible]	D	1433
[illegible]	D	1434
Addie Schrimsher	D	1448
[illegible]	D	1458
[illegible]	D	1474
[illegible]	D	1555
[illegible]	D	1558
[illegible]	D	1567
[illegible]	D	1581
[illegible]	D	1637
[illegible]	D	1663
[illegible]	D	1886
[illegible]	D	1911
[illegible]	D	1967
[illegible]	D	1991
[illegible]	D	2021
[illegible]	D	2216
[illegible]	D	2501
[illegible]	D	2502
[illegible]	D	2505
[illegible]	D	2599
[illegible]	D	2603
[illegible]	D	2605
[illegible]	D	2606
[illegible]	D	2607
[illegible]	D	2608
[illegible]	D	2609
[illegible]	D	2612
[illegible]	D	2613
[illegible]	D	2614
[illegible]	D	2618
[illegible]	D	2619
[illegible]	D	2620
[illegible]	D	2667
[illegible]	D	2686
[illegible]	D	2687
[illegible]	D	2688
[illegible]	D	2689

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Dandersen	D	2705
James Gafford	D	2706
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nichiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Raley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Fruck	D	2774
Emma Burlington	D	2785
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Potts	D	2793
William Davis	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Ethe Grasshar	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Amboss O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Rudesaer	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Lore McGee	D	2809
Othe Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nichiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmina J. Alberty	D	2896
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percilla Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Frances Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Hanson	D	2994
John D. Colwell	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almeche Rose	D	3052
John S. J. Fowler	D	3055
Leanor Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3068
Alice Shaver	D	3069
George O. Wallace	D	3069
Fannie Clay	D	3078
Ellen Dove	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Mahon Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Minnie Thompson	R	4	Andrew Strell	R	640
Jimmie G. Thompson	R	5	John Strell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation and their applications for enrollment as such are accordingly denied.

_____
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREDENTHOUGH.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Mr. Fred Macy,

Bluejacket, Indian Territory.

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certified copy or original, Cherokee license,; also evidence as to the admission of your wife's father.

Yours truly,

Cherokee D-483
Register.

Acting Chairman.

COMMISSION TO THE FIVE CIVILIZED
FILED
FEB 18 1902

Muskogee, Indian Territory, June 4, 1906.

Mr. J. T. Burke,

Executive Secretary, Cherokee Nation,

Tahlequah, Indian Territory.

Sir:

Please furnish this Commission with a certified copy of the marriage license and the certificate of marriage of Fred Shay and Lavina E. Rowell, who were married October 30, 1904, or, in the event that said license and certificate of marriage do not appear in full on the records please furnish a certified copy of whatever does appear regarding said marriage.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-485.

Muskogee, Indian Territory, February 2, 1905.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1905, granting the application of Fred Mayo for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. K-4.

COPY:

Cherokee Nation.

Muskogee, Indian Territory, February 25, 1906.

Fred Keey,

Blackjacket, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1906, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. K-106.

COPY.

Cherokee 3-455.

Muskogee, Indian Territory, February 25, 1903.

J. S. Davenport,
Attorney for Fred Macy,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Fred Macy for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. 3-455.

Register.

Vinita, Indian Territory, March 3, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of the Commission's letter of February 26, enclosing cards and original records, among others, in Cherokee cases D-197, Albert Shepard and D-453, Fred Keys; also the record in Cherokee case 4184, Sylvester S. Hurst, et al. These cases are transmitted for transfer to straight cards.

I respectfully request that the original jackets in the three cases above named be transmitted to this office. Jackets in cases D-453 and 4184 are in the possession of Mr. W. J. Sullivan. The jacket in case D-197 is in the possession of Mr. J. A. Colbert.

I also respectfully request to be advised if jacket D.-200, Henry Odell is in the office of the Commission at Muskogee.

Respectfully,

Clerk in Charge.

CRS

Cherokee
10107

Muskogee, Indian Territory, January 10, 1907.

Fred Macy,

Blue Jacket, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn. B

Commissioner.

Cherokee
10107.

Muskogee, Indian Territory, March 14, 1907.

Fred Mayo,

Bluejacket, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,

EJC

Commissioner.

Cherokee
S et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-190
HHH

Commissioner.

Cher 10108

Mary Russell

Trans. from D690

Cher 10108

Applicant's wife DOUBTFUL:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., OCTOBER 24th, 1900.

In the matter of the application of William H. Russell for the enrollment of himself, wife and child as citizens of the Cherokee Nation; said Russell being sworn and examined by Commissioner C.D. Breckinridge, testified as follows:

Q Give me your full name? A William H. Russell.
Q How old are you? A 52.
Q What is your post office? A Welch.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the roll? A Myself wife and one child. My wife is not Cherokee.
Q When did you marry her? A 1881.
Q Are you Cherokee by blood? A Yes, sir.
Q Your wife is a white woman is she? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A I lived here ever since, I lived here in 1875, 1876 and 1877.
Q And then you went out? A Yes, sir.
Q Were you admitted? A Yes, sir.
Q When were you admitted? A 1887.
Q Have you lived here ever since? A Yes, sir.

Com'r Breckinridge:--The applicant presents a duly authenticated certificate of admission to Cherokee citizenship, showing that on September 21, 1887, certain persons were admitted to citizenship, and among them there appears the name of William H. Russell. (Q This is your name is it? A Yes, sir.) This is recognized as official evidence of the application at the time stated, and the document is returned to him.

Q What is the name of your wife, Clerque? A Mary Russell.
Q How old is she? A 35.
Q When did you marry her? A Married in 1881.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Have you and she lived together as husband and wife ever since you were married? A Yes, sir.
Q Have you a certificate of marriage? A No, sir, I have not.
Q Give me the name of your child? A Ed W.

Com'r Breckinridge:--The applicant presents a duly authenticated certificate, the one just cited, containing also the name of Ed W. Russell, age at that time two years: (Q This is the name of the child for whom you now apply is it? A Yes, sir.) This is recognized as official evidence of the admission of the child, as stated.

Q He is 2 years old now is he? A Yes, sir.
Q He is your child is he? A Yes, sir.
Q You were married to your wife previous to your admission here as a Cherokee citizen? A Yes, sir.
Q Were you remarried to her after you were admitted? A No, sir.
Q Have you someone here who knows that you and your wife have lived together as man and wife? A Yes, sir.

CHARLES M. BEAVERS, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give your full name there? A Charles M. Beavers.
Q How old are you? A 53.
Q What is your post office? A Claremore.
Q You live in Oowoogeeowe district do you? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A Since 1871.
Q Do you know Mr. Russell the applicant here? A Yes, sir.

Wi[illegible] Burrell --f.

[illegible] know his wife? [illegible]ker, sir.
[illegible] What is her name? [illegible]Mary.
[illegible] How long have you known them as husband and wife? A Ever since they came here.
[illegible] How long has that been? A I suppose about 15 or 16 years.
[illegible] Q. never known of any marriage of his other wife? A No sir.
[illegible] Q. never known her to have any husband? A No, sir.
[illegible] Q. [illegible] part of the country? A No, sir.
[illegible] Q. [illegible] A Yes,

[illegible] Q. [illegible] A. [illegible], Cooweescoo wee.
[illegible] Q. [illegible], [illegible], Cooweescoowee.
[illegible]

[illegible] Mr. [illegible] [illegible] was not specially named in any certificate of admission to citizenship? A N , sir.
[illegible] claim is that she was admitted by the act that admitted [illegible] A Y , sir.

[illegible]--The [illegible] claims for the enrollment [illegible], as wife and child. He is shown to have been admitted to citizenship by the Dawes Commission in 1897. He states that he has resided in the Cherokee nation ever since his admission. He [illegible] as a native Cherokee, and he will be listed [illegible] for enrollment as a Cherokee by blood. His child [illegible] is shown to have been admitted with him. He is identified on the [illegible] as a minor, as living now and will be listed [illegible] while previous to his admission to citizenship have never been remarried [illegible] were ever previously married. [illegible] were married and she is identified on the [illegible] For the further consideration [illegible] representatives in such cases, [illegible] circumstances states to enrol [illegible] will be placed upon a DOUBTFUL BAND. [illegible] adopted, and the claimant will be informed of the final decision of the Commission [illegible] as to her claims and is established [illegible] personal testimony in addition [illegible] identified with her husband and her [illegible].

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J. D. [illegible], being first duly sworn, states that as stenographer to the [illegible] to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. D. Keaton

Subscribed and sworn to before me this 24th day of October, 1900.

[illegible]

Commissioner.

DELAWARE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 2 1900 1900.

Name [illegible]

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

R

C. D-690

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 7,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Mary Russell for the enrollment of herself as a citizen of the Cherokee Nation.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 17,1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 7th day of March,1902. And that on said date she might appear before the Commission either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. She was further notified to supply the Commission with a certificate of her marriage.

The applicant having this day, to-wit: 7th day of March, 1902, been called three times, and failing to respond either in person or by attorney it is directed that the case be closed and same will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

HOUGHTON LIBRARY

Cherokee B 690.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 22, 1902.

In the matter of the application of Mary Russell for enrollment as a citizen by intermarriage, of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

MARY RUSSELL, being sworn, testified as follows:

By the Commission,

Q What is your name? A Mary Russell.
Q How old are you? A Thirty-eight.
Q What is your postoffice? A Prior Creek.
Q Are you a white woman? A Yes, sir.
Q Are you claiming the right to be enrolled as a Cherokee citizen by intermarriage? A Yes, sir.
Q What is the name of the husband through whom you claim citizenship? A Henry Russell.
Q William Henry Russell? A Yes, sir.
Q Is he living or dead? A He's living. Sittin' there.
Q Is William H. Russell a Cherokee by blood? A Yes, sir.
Q How long has he been living in the Cherokee Nation? A Ever since 1886.
Q Was he admitted to citizenship? A Yes, sir.
Q In 1886? A '87.
Q And he has been living in the Cherokee Nation ever since?
A Yes, sir.
Q When were you married to him? A 1881.
Q '81? A Yes, sir.
Q That was before he was admitted? A Yes, sir.
Q Where were you married? A In Georgia.
Q By a minister of the Gospel or whom were you married by?
A Justice.
Q Justice of the peace? A Yes, sir.
Q Did you ever get a certificate of your marriage? A No, sir.
Q Did not the justice of the peace give you a certificate?
A No, sir, I do not know that it was the custom to give certificates then.
Q Did you have a license? A Yes, sir.
Q What did you do with the license? A We returned it to the Court but he never give no certificate.
Q It probably was attached to the certificate. What county was that? A Dawson County.

You will be required to file certified copy of your certificate.

Q Was William H. Russell your first husband? A Yes, sir.
Q Are you his first wife? A Yes, sir.
Q Have you and your husband been living together ever since your marriage? A Yes, sir.
Q Never been separated? A No, sir.
Q You're living together now? A Yes, sir.
Q Have you made your home in the Cherokee Nation ever since 1886?
A Yes, sir.
Q Have you ever lived anywhere else? A No, sir.
Q Have you any children? A We have one.
Q Is it living? A Yes, sir.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 24th day of November, 1902.

Notary Public.

COMMISSION

Cherokee D-290

State of Georgia,
Dawson County.

To any Judge, Justice of the Peace or Minister of the Gospel--you are hereby authorized to join W. H. Russell and Mary E. Charles in the holy bans of matrimony according to the constitution and laws of Georgia and for so doing this shall be your sufficient license.

Given under my hand and official signature this Jan. 1st, 1881.

H. B. Smith Ordinary.

(SEAL)

I hereby certify that W. H. Russell and Mary E. Charles were by me this day joined in matrimony according to this license.

This January 2nd, 1881.

Benj. A. F. Palmour, J.P.

This is to certify that the above is a true copy of the marriage certificate as it appears on record at this office.

Given under my hand and official seal of office this 30th day of October, 1902.

Balaam Barton Ordinary of
Dawson County, Georgia.

(SEAL)

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., November 10, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of a certified copy on file in the office of the said Division.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 10th day of November, 1902.

4

Cherokee D-690.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of Mary Russell as a citizen by intermarriage of the Cherokee Nation.

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D E C I S I O N.

The record in this case shows that on October 24,1900, William H. Russell appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment, among others, of his wife, Mary Russell, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 22, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that Mary Russell was lawfully married on January 2, 1881, to William H. Russell, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 21, 1887. The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson, held that a white woman, married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship. The said Mary Russell is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Mary Russell has lived continuously in the Cherokee Nation with her said husband since 1887, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Mary Russell should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB - 2 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulsie Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	220
Mary A. Wilkie	248
John W. Thurman	253
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A. Patton	679
Benjamin G. Holland	763
William Gordon	796
Maggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F. Carden	861
William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J Harrison	993
Jasper N Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E Hair	1090
Norman S Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1123
Robert G. Elgin	1126
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M Correll	1177
Jane Ratley	1225
George E. Norton	1244
Mahala D Thompson	1247
Charles M Trammel	1264
Flora Carlile	1265
William H Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E Fargo	1299
William M Oliver	1330
Andrew J Couch	1340
Lina Hyles	1347
Mary M Miller	1350
Mary E Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G Faulkner	1431
Sarah A Holt	1447
Jennette Polecat	1492
Ellen Seabolt	1505
Charles W Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A Saterfield	1529
Laura J Jeremiah	1530
Etta Hicks	1540
Mary A B McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M Burr	1612
Thomas E. Bonham	1644
Florence Hendrick	1663
Daisy B Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A Coleman	2049
James N Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J Elving	2172
Thomas J Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A J Trotter	3257
Albert P. Goforth	3296
Anna B Martin	3307
William Brown	3344
Jennie B Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donthan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W Dudley	3944
Minnie M. McLaughlin	3950
Henry B Lindsey	3978
Wilbert H Parkison	3999
Seth R Hall	4011
Wiley Hanna	4016
Martha M. Woods	4083
Lizzie Gray	4117
Nancy C Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4180

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Piqrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peek	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5207
Donnie Burgess	5285

Nora B. Burgess	5236
John E. Elmer	5239
[illegible] Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. [illegible]	5266
Annie Sweenen	5269
Rosalie Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Burt	5332
James R. Goodall	5356
Charles [illegible]	5399
James W. [illegible]	5417
Dora Cox	5425
Minnie G. [illegible]	5439
Sallie Ward	5455
William H. [illegible]	5484
Lizzie Hul	5487
Cyrus B. [illegible]	5490
Ida Turner	5493
Laura Turner	5494
Eleanor D. Miller	5496
Lutherson W. [illegible]	5498
Sheila Bene	5499
William E. [illegible]	5506
John W. Sims	5509
John L. [illegible]	5514
Sarah T. [illegible]	5518
[illegible]	5524
Harry Jones	5525
Aggie Pace	5532
James W. [illegible]	5535
Phoebe Cooper	5537
Anthony A. [illegible]	5538
Joseph H. [illegible]	5541
[illegible]	5547
Alex Cline	5551
Addison [illegible]	5566
Alex [illegible]	5572
John [illegible]	5575
William R. [illegible]	5576
Rosa M. [illegible]	5581
Samuel [illegible]	5587
Thomas H. [illegible]	5599
Annie E. [illegible]	5600
Jesse McKnight	5602
Green C. [illegible]	5610
Henry Mecklenburger	5611
Emma M. [illegible]	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5796
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5829

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Euin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6361
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Ussrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A Parkinson	7146
Cora L. Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary F Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie E McClure	7171
Benjamin B Graham	7176
Ada Pharies	7180
William L Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Gond	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kiasay Sapsucker	7378
Sarah J. Johnson	7394
William I Branan	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Hertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D England	7512
Max Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Phenev Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Lecia E. Herrin	9854
Galen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875

William G. Brown	9879
John B. Delay	9881
Pauline Thompson	9882
Gwendolen W. Warther	9883
Margaret Cunningham	9884
Moses L. Mann	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Graham D. Sleeper	9895
William A. Madden	9896
John H. Herman	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pinnamon	9935
Carme A. Collins	9936
Lucinda Spangler	9937
Ella F. Hall	9939
John W. Hann	9940
Hannah Roper	9942
John J. Coughran	9945
Vesta J. Washburn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William J. Pierce	9949
Mary F. Chambers	9950
Albert Stevenson	9954
Henry Kneber	9955
Sarah Bean	9958
Zeno M. Cox	9964
Jerusha F. Bliss	9965
Elias Bayne	9991
Ida Gustman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Tadlock	9997
Hannah J. Miller	9999
Clara V. Ward	10002
Siegfried W. Pfannenberger	10005
Mary E. Fishmore	10009
William T. Pierce	10011
Nellie Todd	10013
Sarah V. Evans	10015
Wallace L. Hutchins	10016
Jesse Talbert	10020
John F. Turner	10021
Amanda F. Howell	10022
Minnie J. Rogers	10023
Jeanne Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oncico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M Hicks	D	398
Fannie L. Dupree	D	403
Willis Battles, Jr	D	404
Joshua W. Ellis	D	413
Nina B Owen	D	450
John M. Ridenour	D	458
Emory S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A Waybourn	D	786
Eliza Fields	D	787
William H Brown	D	788
William A Cox	D	793
Charles A Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F Rogers	D	855
Annie Garrett	D	856
George S Yarbarough	D	875

Rhoda A Sanders	D	878
Manuel Spencer	D	888
Benjamin H. Hulbert	D	901
Mary Brassfield	D	9015
James L. Tindle	D	9038
Silas G. Benedict	D	9046
Eliza Wofford	D	9057
Jasper L. Newton	D	9071
John N. Guinn	D	9078
Hannah Parson	D	9099
Nellie C. Rutherford	D	10083
Thomas J. Welch, Jr	D	10096
Lizzie Christian	D	10109
George Hazlewood	D	10113
James M. Jones	D	10122
Reuben A. Evans	D	10132
Carrie H. Cobb	D	10139
John M. Burns	D	10619
Sarah E. Benson	D	10883
Laura D. Benson	D	10896
Hettie E. Downing	D	10899
Benjamin F. Oram	D	10909
Benjamin Strickler	D	11129
Nancy Spainard	D	11150
Annie Wilson	D	11151
Ora H. Maxwell	D	11155
Reuben W. Moore	D	11156
Cora Childs	D	11186
Jamie Hughes	D	11279
Frances B Reid	D	11280
Martha Carey	D	11295
Christena Johnson	D	11299
Lawrence Ivamade	D	11300
Martha J. Benson	D	11316
David A Martin	D	11336
Fred D McElmurry	D	11345
Nathaniel E. Martin	D	11361
James H Hogan	D	11366
Frank Carver	D	11367
Etta B Payne	D	11370
Mary Garrett	D	11371
Joe W Goodman	D	11374
Mathew J Flanigan	D	11376
Annie C Holland	D	11381
Etta Downing	D	11390
William Carwood	D	11399
Clarence W Turner	D	11402
Alfred Chaney	D	11411
Stephenson [illegible]	D	11414
Etta Russell	D	11419
Ella Vann	D	1320
Lannie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G Mills	D	1337
Ulred H Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J Houston	D	1363
Samuel M Collier	D	1367
Mary Payne	D	1369
Joseph H Warren	D	1375
Mattie Miller	D	1433
S. F Moore	D	1434
Addie Schrumsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G W Williamson	D	1555
C F Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Crouch	D	1913
D A Mounts	D	1967
J C Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cato	D	2595
Hiram V Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Roth	D	2606
Alexander C Russell	D	2607
Priscilla Ross	D	2608
Tom W Reeves	D	2609
Mary Smith	D	2612
[illegible] Thompson	D	2613
James L	D	2614
Walter Wood	D	2618
Septetus West	D	2619
Cora Whitekiller	D	2620
Kate Martin	D	2667
Willie Barker	D	2686
Samuel Barger	D	2687
Lizzie Cooper	D	2688
Jesse Cooper	D	2689

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Luna Burlington	D	2788
Will Black	D	2789
Maggie L. Davis	D	2792
Thomas Dotts	D	2793
William Dews	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Lilie Graylace	D	2798
Alice C. Hall	D	2799
Bertha H. Harris	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Lee Rodgers	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Lou Moore	D	2809
Olie Moore	D	2810
William A. Moore	D	2811
Jesse P. Morris	D	2812
Oliver Moore	D	2813
Edna Wheeler	D	2814
Charles Nickerson	D	2815
Etta M. Nutter	D	2817
Lucinda Osborne	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2886
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2895
Thomas C. Cordray	D	2896
Edward Fowler	D	2897
Dora Foreman	D	2898
Parker Holt	D	2899
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3000
Jerry P. Ables	D	3045
Almedie Rose	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma C. Nelson	D	3058
Alice Simco	D	3059
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al ,vs the United States, Nos 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 17, 1902.

William H. Russell,

Welch, Indian Territory,

Sir:-

You are hereby notified that the application of Mary Russell

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriage, and certificate of your readmission to Cherokee citizenship.

Yours truly,

Cherokee D-690
Register.

Acting Chairman.

Commissioner in Charge.

9973

Cherokee-D-690

Muskogee, Indian Territory, May 16, 1902.

Mr. Wm. H. Russell,

Welch, Indian Territory,

Sir:

In the matter of your application for the enrollment of your wife, Mary Russell as a citizen by intermarriage of the Cherokee Nation, you are required to file with the Commission a certificate of such marriage or a duly certified copy thereof. In the event that a certificate of marriage or a certified copy thereof can not be obtained by you, personal testimony of one or more witnesses, who saw the marriage ceremony performed, is required.

You are allowed fifteen days from receipt hereof within which to comply with this requirement.

Yours truly,

Acting Chairman.

Register.

Cherokee D 690.

Muskogee, Indian Territory, June 23, 1902.

William H. Russell, Esq.,

Welch, Indian Territory.

Sir:-

In the matter of your application for the enrollment of your wife, Mary Russell, as a citizen by intermarriage of the Cherokee Nation, you are advised that it is necessary, for the proper consideration of her case, that you furnish to this Commission either the original or a certified copy of the marriage license and certificate, showing your marriage to her to have been legal. In the event that said license and certificate or a certified copy thereof cannot be obtained by you, personal testimony of the Clerk or Deputy who issued the license, together with the evidence of the person who solemnized said marriage, should be supplied if possible.

You are further requested to furnish the Commission with the certificate of your re-admission to citizenship.

This testimony must be furnished on or before July 15, 1902.

Yours truly,

Commissioner in Charge.

Register.

Cherokee D-692

Muskogee, Indian Territory, November 10, 1902.

Mary Russell,

Claremore, Indian Territory.

Dear Madam:-

The certified copy of marriage license and certificate, showing your marriage on January 2, 1861, to W. H. Russell, is herewith returned to you, a copy having been made and filed with your application for enrollment as a citizen of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Enc. E-194

COPY.

Cherokee D-650.

Muskogee, Indian Territory, February 2, 1906.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1906, granting the application of William H. Russell for the enrollment of his wife, Mary Russell, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. B-S.

Cherokee D-680.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Russell as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 24,1900, William H. Russell appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment, among others, of his wife, Mary Russell, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee,Indian Territory,on October 22, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that Mary Russell was lawfully married on January 2, 1881, to William H. Russell, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 21, 1887. The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson, held that a white woman, married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship. The said Mary Russell is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Mary Russell has lived continuously in the Cherokee Nation with her said husband since 1887, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Mary Russell should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB -3 1903

COPY.

Cherokee 8490.

Muskogee, Indian Territory, February 25, 1903.

William H. Russell,

Pryor Creek, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of your wife, Mary Russell, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Enc. E-102.
Register.

Cherokee
IOIOO

Muskogee, Indian Territory, January 18, 1907.

Mary Russell,

Pryor Creek, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. B

Commissioner.

570

REFER IN REPLY TO THE FOLLOWING:
Cherokee
10108.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 14, 1907.

Mary Russell,

Pryor Creek, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 30, 1907, rejecting the application for your enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,



KJC

Commissioner.

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No [illegible] white claimant will be permitted to designate improvements upon [illegible] who would have been entitled to take an allotment for him[illegible]self [illegible] intermarried white claimant has made a [illegible] designate improvements [illegible]

NOTICE IS FURTHER GIVEN [illegible] Cherokee Nation entitled to [illegible] selected by a [illegible] belonging to said intermarried [illegible] improvements or to the right of the [illegible] March

make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes either at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make formal complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, plats will be open for inspection showing the location of tentative allotments made by former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-100
MTM

Commissioner.


IND.T.D.C.
JAPAN

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.





Return Reg. No. 172

Mary Russell,

Pryor Creek, Indian Territory.

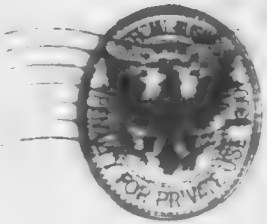


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Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.





Mary Russell,

~~Pryor Creek~~, Indian Territory.

UNCLAIMED.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.

2712

William H. Russell,

Pryorcreek, Indian Territory.

Department of the Interior.

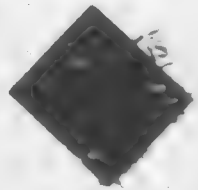
Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

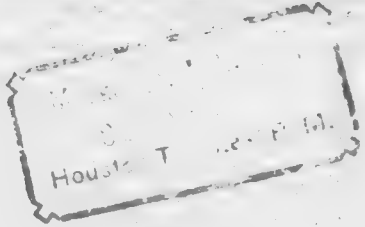
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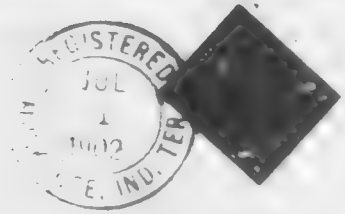




Mr. William . Russell,

Welch, Indian Territory.





Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

9239

William H. Rowe
Vinita
I.T.



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Rg 64/64

Mr Wm H

Muskogee

Cher 10109

Thomas B. Brown

Trans. from D741

Cher 10109

R.

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 29, 1900.

In the matter of the application of Thomas B. Brown for the enrollment of himself as a Cherokee by intermarriage and his wife and children as Cherokees by blood; he appearing before the Commission, and being sworn and examined, testified as follows:

Q What is your name? A Thomas B. Brown.
Q What is your age? A 42 years.
Q What is your post office? A Collinsville.
Q Do you make application for enrollment as a citizen of the Cherokee Nation by blood? A No, sir, by adoption.
Q For whom do you make application? A Myself, wife and five children.
Q What district are you living in? A Tooweescoowee.
Q How long have you lived in the Cherokee Nation? A 16 years.
Q Have you been outside the Cherokee Nation at any time within the past three years? A No, sir.
Q What is the name of your father? A William.
Q Is he living or dead? A He is dead.
Q Is he a white man? A Yes, sir.
Q What is the name of your mother? A Martha.
Q Your mother living? A No, sir.
Q Was she a Cherokee by blood or a white woman? A White woman.
Q Were your parents ever recognized as citizens of the Cherokee Nation? A No, sir.
Q Are you married? A Yes, sir.
Q What is the name of your ~~father~~ wife? A Johnnie Ann.
Q Is she living? A Yes, sir.
Q How old is she? A 32 years old.
Q She a Cherokee by blood? A Yes, sir.
Q What degree of Cherokee blood does she claim? A 1/8.
Q How long has she resided in the Cherokee Nation? A She was born and raised here.
Q Has she been outside the Cherokee Nation at any time within the past three years? A No, sir.
Q What is the name of her father? A John Little.
Q Is he living or dead? A He is dead.
Q Was he a Cherokee by blood or a white man? A White man.
Q What is the name of your wife's mother? A Eliza.
Q Is she living? A No, sir, she is dead.
Q Was she a Cherokee by blood or a white woman? A Cherokee by blood.
Q Does your wife's name appear upon the 1880 roll? A Yes, sir.
Q In what district was she living in 1880? A Sequoyah.
Q What was her name at that time? A Johnnie Little.
Q When were you married? A I was married in 1897.
Q Have you any evidence of your marriage? A Yes, sir, I was married first according to the usages of white people in here, and after that came to this district and married according to the Cherokee laws.
Q When were you first married? A In 1897.
Q Under what law? A I don't know what law you would call it.
Q You were not married at that time in accordance with the laws of the Cherokee Nation? A No, sir.

(The applicant presents a Cherokee license authorizing the marriage of T. B. Brown and Miss John Anne Little, a citizen of the Cherokee Nation, issued on the 10th day of June, A.D., 1898, by H. E. Brewer, clerk of Tooweescoowee district, per W. H. Rose, deputy, and a certificate showing that said marriage was performed by A. A. Brown, a minister of the Gospel, on the 10th day of June, 1898. The same is filed herewith.)

Q Have you lived with your wife continuously since you married her in 1887? A Yes, sir.
Q Were you ever married before? A No, sir.
Q Was she? A Yes, sir.
Q What was the name of her former husband? A Will Penn.
Q Is he living or dead? A I don't know whether he is or not.
Q Was he a Cherokee or a white man? A White man.
Q Was your wife ever divorced from him? A No, sir, he had a living wife at the time.
Q I understand you to say he had a living wife when he married your wife? A That is what was the understanding.
Q She never secured a divorce from him? A No, sir, not that I know of.
Q Have you any witnesses by whom you can prove that he had a living wife at the time he married your present wife? A No, sir, not here.
Q How long did they live together? A Only a short time I think.
Q A week or two weeks? A Something like that I think, I don't know just how long they did live together.
Q Did he hold her out to the community as his wife? A I suppose so.
Q And she thought she was legally married to him? A Yes, sir, at the time I suppose so.
Mr. J.C.Starr, representative of the Cherokee Nation: You say that your wife, Johnnie A. Little, was married before you married her? A Yes, sir.
Q Did she secure a divorce from her former husband before you married her? A Not that I knew of.
Q Is he living yet? A I don't know, he left the country.
Q When did he leave the country? A I can't tell you just when, about 1885 or 1886 I think, a year after they were married.
Q You think he was living at the time you were married to you wife? A No, sir I don't know, I don't know anything about him, I knew nothing of him.
Q How long after your wife was married to her first husband was it before you were married to her? A About a year I suppose.
Q How long was it before you was married to your wife until he left the country; how long before you were married to your wife was it that this man left the country? A I don't know; all I know about it is just hearsay.
The Commission: Give me the names of the children whom you now desire to make application for? A Serena E.
Q How old is that child? A She is 15 years old.
Q What is the name of the next child? A Laura Ethel, 11 years old.
Q What is the name of the next child? A John L., he will be 9 years old the 9th day of January.
Q What is the name of the next child? A Addie May, 6 years old.
Q What is the name of the next child? A Martha Ellen, 5 years old.
Q These children all alive and living with you at the present time?
A Yes, sir.
Q You are the father of all the children? A I suppose so.
Q Your present wife is the mother? A Yes, sir.

(Johnnie A. Brown on 1880 roll, page 708, No. 806, Johnnie Little, Sequoyah district; on 1896 roll, page 102, No. 806, Johnnie A. Brown, Goingsnake district. Thomas B. Brown on 1896 roll, page 104, No. 87, Goingsnake district. Serena E. Brown on 1896 roll, page 102, No. 806, Serena E. Brown, Goingsnake district. Laura E. Brown on 1896 roll, page 102, No. 810, Laura E. Brown, Goingsnake district. John L. Brown on 1896 roll, page 102, No. 811, John L. Brown, Goingsnake district. Addie M. Brown on 1896 roll, page 102, No. 812, Addie M. Brown, Goingsnake district.)

The applicant applies for the enrollment of himself, his wife and five children. He is identified with the census roll of 1896 as

Thomas B. Brown - 3.

an adopted white. He presents satisfactory evidence of his marriage in accordance with the laws and customs of the Cherokee Nation on the 19th day of June, 1882. He avers that his wife was previously married to one William Penn, a white man, but that her marriage to said Penn wasn't legal for the reason that Penn at that time had a wife living from whom he had never been divorced. He produces no satisfactory evidence as to this fact, and for that reason his name will be placed upon a doubtful card for the further consideration of the Commission, and when final decision is rendered in his case, he will be notified at his post office address, in writing. He has lived in the Cherokee Nation for 16 years and will be listed for enrollment as a citizen by intermarriage. His wife is identified on the 1880authenticated roll under her maiden name, and upon the 1896 roll under the name of her present husband. She is a native Cherokee, has lived in the Cherokee Nation all her life, and will be enrolled by this Commission as a Cherokee citizen by blood. His four oldest children are identified upon the census roll of 1896 as native Cherokees, and they also will be enrolled as native Cherokees, satisfactory proof as to their residence in the Cherokee Nation having been given. When he filed with this Commission satisfactory proof as to the birth of his youngest child, this child also will be listed for enrollment with its mother as a citizen by blood of the Cherokee Nation.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 30th of October, 1900.

C. H. Breece

Commissioner.

DEPARTMENT OF THE
COMMISSION TO THE FIVE CI
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Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 29 1900 1900.

Name Thomas B Brown & Collins

District COOWEESCOOWEE. Year 1896 Page 291 No. 67

Citizen by blood no Mother's citizenship

Intermarried citizen yes

Married under what law

License Date of marriage

Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

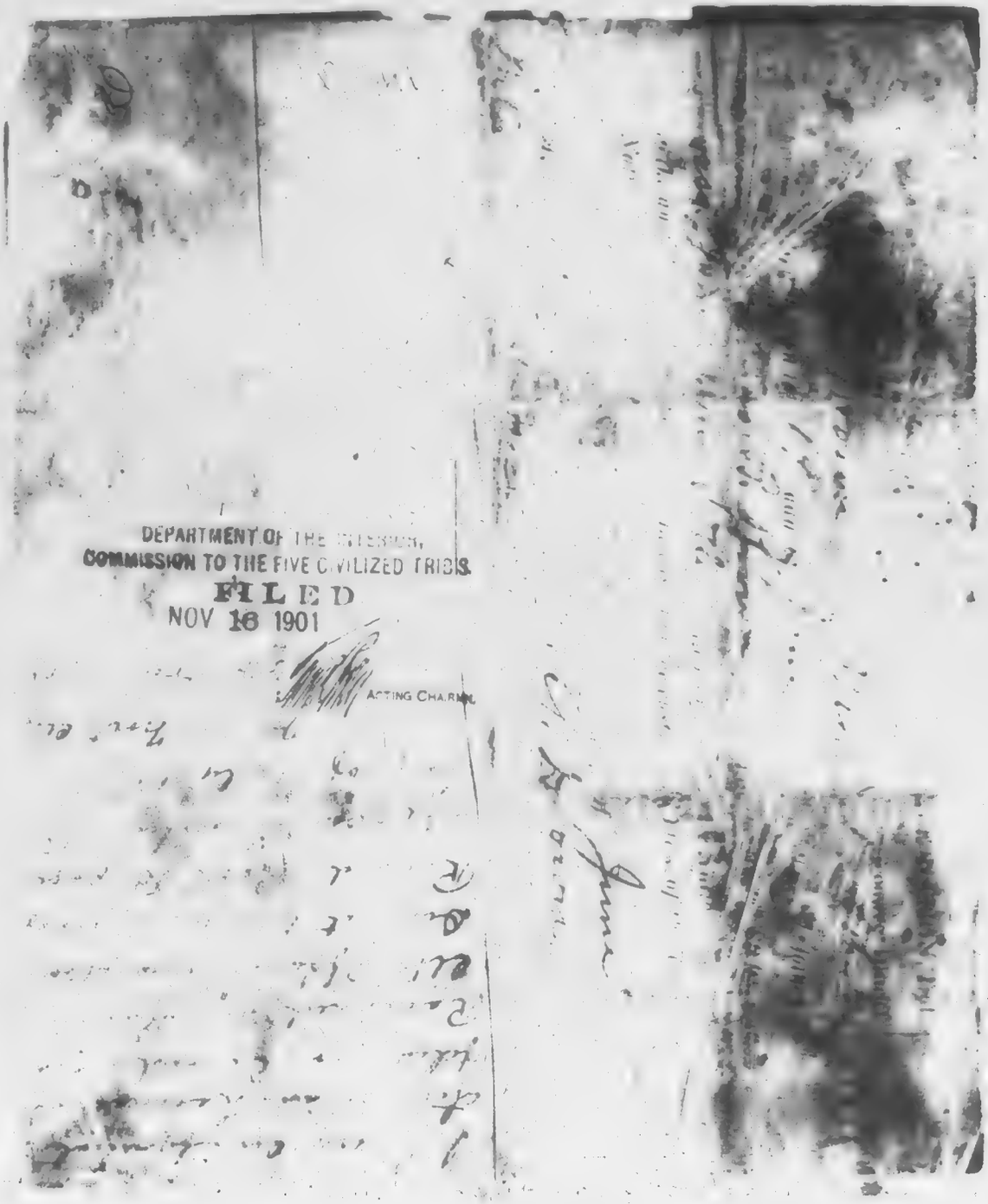
Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age

Proof as to ~~date~~ divorce between the ~~he~~ wife and her former husband

DEPARTMENT OF
COMMISSION TO THE
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APR 16 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1901
ACTING CHAIRMAN



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1901

ACTING CHAIRMAN.

MARRIAGE LICENSE.

Sweescoowee District.

To Any Person Legally Authorized to Solemnize Marriage---Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. J. B. Brown

of the [illegible] *a citizen of the Cherokee Nation, according to the usual custom and laws of the Cherokee Nation, and you are required to return this License to me, for record, within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you.*

Given under my hand and seal this [illegible] *day of* June

[illegible]

Clerk [illegible]

CHEROKEE D 741

MARRIAGE LICENSE.

CHEROKEE NATION, I. T.

COOWEESCOOWEE DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED TO SOLMENIZE MARRIAGE GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. T. B. Brown, a citizen of the United States, and Miss John Anna Little a citizen of the Cherokee Nation, according to the usual customs and laws of the Cherokee Nation, and you are required to return this license to me, for record within thirty days from the celebration of such marriage with a Certificate of the same appended thereto and signed by you.

Given under my hand and seal of office this the 15th day of June A. D. 1893

H. H. Trott,
Clerk Cooweescoowee District
By W. H. Drew Deputy.

(S E A L)

Cherokee Nation, I. T.
Cooweescoowee District.

I, A. A. Drown, a Minister of the Gospel, do hereby certify that on the 19 day of June , A. D. 1893, I joined in Matrimony Mr. Thomas B. Brown a citizen of the United States, and Miss Johnie Anna Little, a citizen of the Cherokee Nation, agreeable to the authority given in the within license and the custom and laws of the Cherokee Nation.

Given under my hand this the 19 day of June, A. D. 1893.

A. A. Drown

Witnesses
W. L. Moore,
Leroy M. Drown.

I hereby certify that the within license is filed for record and recorded in this the Cl erks Office Cooweescoowee District C. N. in Marriage Record Book B page 227 on this day of July 1893.

H. H. Trott, Clerk
By W. H. Drew Depty.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes do certify that the above is a full and correct copy of the original on file in this office.

Ella Mulloy

Supl.-C.D.#741.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of THOMAS B. BROWN as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 18, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee Indian Territory, on the 8th day of March, 1902, and on said day he might appear before the Commission either in person or by attorney and an opportunity would be given him to introduce any additional testimony affecting his application. Receipt has been acknowledged of the Commission's letter. The applicant having this day, to-wit the 8th day of March, 1902, been called and failing to respond either in person or by attorney, the case is considered completed and will be reported to the Commssion for final decision based upon the evidence now of record.

Commissioner.

J.O.R.

D-741.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., June 16, 1902.

In the matter of the application of Thomas B. Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

SUPPLEMENTAL TO D-741.

APPEARANCES:
Applicant in person.
W. W. Hastings in behalf of Cherokee Nation.

COMMISSION: The applicant in this case was notified by registered letter June 2, 1902, to appear before the Commission at its offices in Muskogee, Indian Territory, on or before June 17, 1902, and submit further evidence in the matter of his application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation. The applicant this day, to wit the 16th day of June, 1902, appears in person.

TOM THOMAS, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Thomas.
Q Thomas what? A Tom Thomas.
Q How old are you? A I am 56 years old.
Q What is your postoffice address? A Muldrow.
Q Are you acquainted with the applicant in this case, Thomas B. Brown?
A Well part of it I am I guess.
Q What do you mean by that; aren't you acquainted with him? A Yes, sir, I am acquainted with him.
Q How long have you known him? A Well I don't know how long, somewhere in 1880: ever since I have been in the country though.
Q What is his citizenship? A Well he married according to the Cherokee law.
Q He himself is a white man is he? A Yes, sir, I suppose so.
Q Do you know his wife's name? A Yes, sir.
Q What is it? A Well her name is Little.
Q Her given name? A Johnnie Little.
Q Is she living? A I suppose so; he says that she is.
Q What's her citizenship? A Cherokee by blood.
Q What do you know concerning the marriage of these two persons?
A Well I suppose what they wanted me for, she first married a man by the name of Pennell wasn't a lawful marriage though I suppose; that's what Judge Parker claimed, and his woman came there from Boom County and filed information, and I went to serve the papers on him for bigamy, and he run away from that country.
Q You served the papers on her first husband? A No, he got away: I never did get him.
Q He was charged with what? A Bigamy from the Fort Smith court.
Q Was he a Cherokee or a white man? A White man: he had a wife and two children.
Q How long have you known the applicant's wife Johnnie? A Ever since she was a child, 1875.
Q Did you know her husband William Penn personally? A No, sir.
Q Do you know anything about her marriage to him? A Yes, sir.
Q How long did they live together? A Only heresay: I didn't see it.
Q Do you know how long they lived together as man and wife? A Well I don't think they lived together but a little while, maybe I

reckon six months, maybe not that long.
Q Have you ever seen her husband William Penn since he was charged with bigamy? A No, sir.
Q About when was that, about what year? A As well as I recollect it was '86, of course I won't say positively, it might have been '87.
Q Was that prior to the marriage of Thomas Brown? A Before Thomas Brown's marriage. She was quite young when she married Penn.
Q Do you know whether or not divorce proceedings were ever instituted by William Penn or his wife Johnnie after their separation? A No, sir, only hearsay; her grandfather went to Judge Parker and asked him, and he said he didn't need any--it wasn't a legal marriage.
Q Where did her grandfather live? A Right on the mountain above Muldrow near Jackson Kings'place; Jackson King was her grandfather.
MR. HASTINGS: You know Judge Parker never did have jurisdiction over a civil suit where a person lived in the Indian territory. A They tried lots of them there.
Q Divorce proceedings? A Yes, sir, where a white man come in the Nation here and married a Cherokee woman.
Q You are as positive about that as you are about any statement you have been making? A Well, no, I am not, if it was a citizen of this country; but he was no citizen; he just married the woman by a preacher here; no petitioners whatever.
Q You know that Judge Parker never did try a civil suit as between people living on this side of the line and grant a divorce? A No, no, there was no divorce except there; I thought you was speaking about bigamy.
Q That was on the criminal side of the docket? A Yes, sir, I am hard of hearing, too.
Q When was this that you had papers for the arrest of William Penn? A Well it was somewhere about '87,as well as I can remember; I could have found out to go and examine the dockets, if it had been docketed; the warrant might never have been docketed because it was never served.
Q Was Mr. Brown's wife ever married to anybody else other than Mr. Penn? A No, never was.
Q You knew her? A I knew her ever since she was a child; I suppose she was two years old when I went to the country in '74, maybe three.
Q And she married about when? A Well I couldn't tell you the dates exactly, she married him at about sixteen years old, it was eighty something, and about two years from that, I think it was something near two years, she married Brown.
Q Did she have any children by Penn? A No, sir.
Q You don't mean two years after she married Penn she married Brown, do you? A About two years as well as I can remember after her marriage to Penn before she married Brown.
Q How long did she live with Penn? A It couldn't have been six months, probably not three; I couldn't tell you exactly; they lived out of the way from where I lived, they lived right up on the top of the mountain, and I lived in eight miles of Fort Smith.
Q Do you know from what county or state it was alleged that Penn had a living wife? A In Boon County.
Q Missouri? A Arkansas. I see the woman when she come there to file the information to get the warrant, and she had one child with her, but she said she had two children by Penn.
Q Do you know the county seat of Boon County? A It's Harrison, ain't it? I expect it is, I don't know.
COMMISSION: (Of applicant): Do you want to ask him any questions, Mr. Brown.
MR. BROWN: No, sir, don't know as I do.

S. M. WATTS, being first duly sworn, testified as follows:

COMMISSION: What is your name? A S. M. Watts.
Q How old are you? A I am 56.
Q What's your postoffice address? A Muldrow.
Q Are you acquainted with the applicant in this case, Thomas B. Brown? A Yes, sir.
Q How long have you known him? A Why I have knowed him, that is I became acquainted with him about I suppose fifteen years ago.
Q Do you know his wife Johnnie? A Yes, sir.
Q How long have you known her? A Well I have known her since they married: I suppose fifteen years ago, they moved in that country there.
Q Where was he living when he was first married to her? A Living in Sequoyah District.
Q Had you known his wife prior to that time at all? A Yes, sir.
Q How long have you known her? A Well I have known her for several years, five or six years.
Q Before that? A Before that.
Q Do you know whether she was ever married before she married this man? A Yes, sir.
Q What was the name of her first husband? A Penn.
Q How long had you known him? A Well, I just=I knew him when he was a boy, but then he had just came into that country and hadn't been there but a short time until he married her.
Q Do you know whether or not Penn was ever married before he married the applicant's wife? A His mother informed me that he was is all I know.
Q Do you know whether his wife wife was living or whether he had been separated fromher before he married this woman? A She was living then and is yet living, so his mother told me.
Q Do you know where she is living? A What's the county seat of Harrison?
Q Well do you know anything concerning the separation of William Penn and his first wife? A No, sir, I do not.
Q Do you know whether they were ever divorced? A Never was until seven years ago.
Q He was never divorced from his first wife until seven years ago? A Yes, sir, that's the information that his mother give me.

MR. HASTINGS: How long have you known Mr. Brown? A Well, Mr. Brown came into that country in Sequoyah, I knew him off and on for two or three years: I haven't been acquainted with him since he married, left that country.
Q Was he ever married before? A Not that I know of.
Q Was his wife ever married before she married Penn? A No,sir.
Q That was her first marriage? A That was her first marriage, of course she was young: she was old Jackson King's granddaughter, and I lived there in two or three miles, and I knew her from a child.
Q How long did she and Penn live together? A Why I don't think that they lived together over three months, just during the summer, but a short time at least any way.
Q He left that country did he? A Yes, sir, he left that country.

COMMISSION: Do you know anything about the cause of their separation? A I never know anything about the cause of his separation: I think, at least the marshals was after him for something, I don't know what; the marshals was at my house, and said they were hunting Penn.
Q Did they say for what reason? A I think for living in adultery.
Q Have you ever seen him since he left this woman, the applicant's wife? A Why last fall or last winter like, latter part of the winter, or the early part of the fall, he came back to Muldrow and

was there two or three days. one night I went down to preaching: I was staying at Cottonwood, and my daughter wanted to go down to the preaching; they was holding a big meeting down there, had a new preacher, and we went down there and Penn was there, and I asked who he was, and she said that was Will Penn; I never spoke to him; and in a day or two he left.
Q You never had any conversation with him at all? A No, sir. I just merely asked my daughter who he was.
Q Was it generally understood in the community at the time William Penn left the applicant's wife that he had been previously married to a woman from whom he had not been divorced? A It was generally understood, yes, sir. Of course all we knew was just the points that he married and left his wife over in Boon County, was over there where he came from.
Q (Of applicant): Do you want to ask the witness any questions, Mr. Brown?
MR. BROWN: No, sir.

THOMAS B. BROWN, being first duly sworn, testified as follows:

MR. HASTINGS: What's your name? A Brown.
Q Well give me your first name? A Thomas B.
Q You are the applicant in this case are you? A Yes, sir.
Q Was you ever married before you married this woman? A No, sir.
Q This is your first marriage? A Yes, sir.
Q Why weren't you married in accordance with Cherokee law when you were married in 1887? A Well sir I don't know: I couldn't assign any just reason for not.
Q You have never married in accordance with the Cherokee law until 1893? A 1893, yes, sir, they said I could just go ahead and marry as white people did, and it wasn't really necessary for me to marry in accordance with Cherokee law unless I wanted to, and afterwards I thought it was best to comply with the laws of the Nation and married in accordance with the Cherokee law.
Q You knew your wife had been married before? A Yes, sir.
Q You knew also of the circumstances of her husband's leaving? A Yes, sir.
Q You have been living with your wife, are living with her yet? A Yes, sir.
COMMISSION: Did you know her first husband well? A No, sir, I never did see him, had done left the country about the time I come in here I suppose.
Q You don't know then that an attempt was made to arrest him? A No, sir, more than Mr. Thomas told me about six or eight months before I and my wife was married that he had had a warrant for this man up there for Bigamy, that's all I know.

Arthur D. Ironmonger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur D. Ironmonger

Subscribed and sworn to before me this 21st day of June, 1909.

Notary Public.

Cherokee D-741.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 17, 1902.

In the matter of the application of Thomas B. Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Thomas B. Brown.
Q How old are you? A Forty-four.
Q What is your postoffice? A Collinsville.
Q Are you a white man? A Yes sir.
Q Are you an applicant to be enrolled as a Cherokee citizen by intermarriage? A Yes sir.
Q What is your wife's name? A Johnie A. Little.
Q Is she a Cherokee by blood? A Yes sir.
Q How long has your wife lived in the Cherokee Nation? A She was born and raised here.
Q Lived here all her life has she? A Yes sir.
Q When was she married to you? A '87.
Q Were you married under a Cherokee marriage license? A No sir, not at that time.
Q Were you after that time? A Yes sir.
Q When were you married under a Cherokee license? A June, '95 I believe.
Q Is Johnie A. your first wife? A Yes sir.
Q Are you her first husband? A No sir, she married a man by the name of Penn first.
Q Was he dead when you married her? A No sir.
Q Were they divorced? A He had a living wife and children.
Q This man Penn had a living wife and children when your wife married him? A Yes sir.
Q How do you know that to be so? A I produced evidence in June before the Commission. He wasn't divorced from that woman the time he married her.
Q Was that the only time your wife had been married? A Yes sir.
Q Had you been married before you married her? A No sir.
Q She is your first wife? A Yes sir.
Q Have you and your wife been living in the Cherokee Nation ever since '93? A Yes sir.
Q Never been separated? A No sir.
Q Are you living together now? A Yes sir.
Q Have you made your home in the Cherokee Nation all that time? A
Q Never lived any where else? A No sir.
J.C.Starr: What is the name of your wife's first husband? A William Penn.
Q Where did they live during the time she lived with him? A In Sequoyah District.
Q What was the name of William Penn's living wife that you speak of? A I don't know. I did have her name, but I lost it.
Q Where did they live at the time William Penn and she lived together? A Lived with her grandfather, Jackson King, near Baldrow: he principally raised her my wife.

2-Thomas B. Brown.

The undersigned, being duly sworn, states that as Stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. G. Rothenburger.

Subscribed and sworn to before me this 19th day of November, 1902.

B. O. Jones
Notary Public.

Cherokee D-741.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application for the enrollment of Thomas B.Brown as a citizen by intermarriage of the Cherokee Nation.

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D E C I S I O N.

The record in this case shows that on October 29, 1900, Thomas B.Brown appeared before the Commission at Claremore,Indian Territory, and made application for the enrollment, among others, of himself as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on June 16, 1902, and again on October 17, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence in this case shows that Thomas B. Brown, a white man, was lawfully married on June 19, 1893, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, to Johnnie Ann Little, a citizen by blood of the Cherokee Nation who is identified on the Cherokee Authenticated Tribal Roll of 1880. The said Thomas B. Brown is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Thomas B. Brown has lived in the Cherokee Nation ever since the year 1884,and that he has lived continuously therein with his said wife, Johnnie Ann Brown, ever since his first marriage to her, in the year 1887, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Thomas B. Brown should be enrolled as a citizen by intermarriage of the Cherokee Nation,in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee,Indian Territory,

this FEB -2 1903

32 10109

IN RE
THE DEATH OF

Thomas B Brann
a citizen of the
Cherokee Nation.

Approved AUG 29 1905 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED
AUG 29 1905

Commissioner

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Thomas B. Brown (Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near Collinsville (Here insert name of postoffice.), Ind. Ter., and died on the 28th day of February, 1904.

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Johnnie A. Brown, on oath state that I am 26 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Collinsville (Here insert name of postoffice.), Ind. Ter.; that I am wife (State relationship; as the father; an uncle; a cousin, etc.) of Thomas B Brown (Here insert name of deceased.) who was a citizen, by adoption, of the Cherokee Nation and that said Thomas B Brown (Here insert name of deceased.) died on the 28th day of February, 1904.

WITNESSES TO MARK: Mrs Johnnie A Brown.

(Must Be Two Witnesses) ~~Mrs Johnnie A Brown~~

Subscribed and sworn to before me this 2nd day of June 1904.

my Com Ex. Jan 7th 1916. John Baldenburg Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, James D Ward, on oath state that I am 24 years of age, and a citizen by blood of the Cherokee Nation; that my postoffice address is Collinsville (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Thomas B Brown (Here insert name of deceased.) who was a citizen, by adoption, of the Cherokee Nation; and that said Thomas B Brown (Here insert name of deceased.) died on the 28 day of February, 1904.

WITNESSES TO MARK: James D Ward

(Must Be Two Witnesses)

Subscribed and sworn to before me this 2nd day of June 1904.

my Comm Ex Jan 7th 1916. James Baldenburg Notary Public.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Sowers	19
Sarah E. McCoy	21
Joseph Ehrenberger	23
Laura Harrison	43
William W. Barnes	49
Georgia Wood	54
Walter A. Edens	62
Willis B. Ward	69
Samuel G. Winter	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulmer Ann Smith	206
Susan M. Perry	208
Gertrude Paisano	224
Hugh Willis	229
Mary A. Wilbur	248
John W. Thurman	253
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A. Patton	679
Benjamin G. Holland	763
William Gordon	798
Maggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F. Carden	861
William H. Burrow	967

Mary Pettit	977	Millie Morton	1554
Bettie Mitchell	985	Andrew Walters	1573
John J. Harrison	993	John H. Holder	1610
Jasper N. Bateman	1029	Mary M. Burr	1612
Susan Ballard	1065	Thomas E. Bonham	1644
Lucy Eva Simmons	1073	Florence Headrick	1663
Ellen Thornton	1089	Daisy B. Brewer	1709
Sarah E. Hair	1090	Annie Cordrey	1717
Norman S. Drake	1092	Adam Eckert	1722
Susan Hogg	1094	Isaac Timmons	1726
David L. Scott	1099	Gent Gibson	1727
James C. Taylor	1111	Amos Anderson	1731
Roxie Shepard	1128	William J. Mounts	1734
Robert G. Elgin	1136	James D. Alexander	1745
William Hall	1137	Willis E. Miles	1769
Mary Ella Lattimore	1141	Lora Adair	1781
Maggie J. Keys	1149	John Yarborough	1796
Joseph M. Correll	1177	Lillie M. Dassler	1802
Jane Ratley	1225	Bryant C. Redington	1804
George E. Norton	1234	Malisa A. Maxwell	1808
Mahala D. Thompson	1247	Richard Dukes	1811
Charles M. Trammel	1264	Fannie Pettit	1816
Flora Carlile	1265	Genevia Pool	1817
William H. Norrid	1275	Mollie Crossland	1822
Olivia Benge	1276	Lizzie Benge	1828
Dollie Wilson	1278	John H. Welty	1847
Moses Bell	1279	Edward P. White	1884
Sarah Fleetwood	1290	Lauren P. Green	1887
Rosa E. Fargo	1299	Charles Rosser	1898
William M. Oliver	1333	Fay Adair	1913
Andrew J. Couch	1340	Henrietta Irving	1920
Lina Hyles	1347	Bird Trippard	1925
Mary M. Miller	1350	John C. Carlile	1937
Mary E. Taylor	1368	John W Gilstrap	1954
Polly Ann Benge	1369	Sarah Young	2018
Margaret Moton	1385	Nancy A. Coleman	2049
Minnie McKinney	1390	James N Whisenhunt	2118
Nettie Seabolt	1418	Hiram Stephens	2157
Lawrence G. Faulkner	1433	Asa L. Guinn	2159
Sarah A Holt	1449	Rebecca J Flying	2172
Jennette Polecat	1492	Thomas J Measles	2192
Ellen Seabolt	1508	Julia Coody	2215
Charles W Nettles	1509	Sarah Crutchfield	2224
Lena Suttingdown	1511	Henry E Lee	2251
Tim Creeslen	1513	Sarah Gritts	2266
Odie Pidcock	1517	John A Madden	2261
Silas A Saterfield	1529	Henry C Pennel	2271
Laura J Jeremiah	1530	Matilda S Cloband	2282
Etta Hicks	1540	Dona A Frazier	2312
Mary A B McKinney	1550	Laura B Cordrey	2320

Lafayett D. Kindred	2328	William A. J. Trotter	3257
Pearl V. Sisson	2339	Albert P. Goforth	3258
Nancy J. Sevier	2380	Anna B Martin	3267
Mollie Hair	2385	William Brown	3344
Dora Sayers	2474	Jennie B. Bluejacket	3345
William T. Jones	2501	William Little	3377
Sarah L. Martin	2502	Julia M. A. Russell	3386
William J. Shoemaker	2506	Andrew J. Smith	3393
Maud Baldridge	2511	William N. Blakemore	3396
James L. Townsend	2513	Lizzie Denton	3417
George L. Morgan	2568	Belle Hudson	3435
Andrew A. Brown	2575	Thomas S. Heady	3437
Louis K. Fair	2623	William M. Roseborough	3444
James L. Mitchell	2644	Madison G. Hawkins	3467
Martha E. McNair	2659	Japhat F. Ellis	3491
Millard F. Eggleson	2668	Emma McAffrey	3543
Elisha M. Gray	2686	William T. Huitt	3570
Jessie M. Ballard	2694	Myra F. Chouteau	3580
Annie Mayes	2798	Phillip Donoboo	3581
Belle Sixkiller	2809	Fred L. Kelley	3593
James P. Riley	2825	Annie Herod	3594
William Broaddus	2854	Maggie V. Fields	3615
William A. Martin	2865	Lou Payne	3616
Joseph Q. Buchanan	2888	Frederick W. Strout	3682
Marcellus L. Baker	2905	Andrew L. McCamish	3713
Etta M. Hill	2915	Sarah Dirtthrower	3731
John R. Smith	2922	William P. Coble	3736
Ira W. Wallen	2926	Robert L. Madison	3761
John B. Laurence	2959	Mariah McDowell	3795
Lula O. Hitchcock	2961	Elizabeth R. Thornton	3811
Bell L. Muskrat	2975	Donithan A. Wilson	3841
Eliza O'Field	2977	Charles F. Covey	3883
Margaret Suagee	2983	Tansey M. Williams	3906
Winfield S. Nance	3007	Mary J. Wolfe	3980
Benjamin F. Kelley	3010	Lathan Lumbard	3991
Mollie Daugherty	3030	Micajah P. Haynes	3997
Charles H. Leatherman	3042	Annie L. Wingfield	3998
Alice A. Edwards	3100	Mary Fields	3997
Dorinda Adair	3106	William W. Dudley	3944
William R Gray	3118	Minnie M. McLaughlin	3980
Dora B. Caulk	3143	Henry B Lindsey	3978
Jesse M. Gallman	3161	Wilbert H. Parkinson	3980
Martha E. Garrett	3162	Seth R Hall	4041
Artie E. Large	3164	Wiley Hanna	4066
Andrew A Kelley	3191	Martha M Woods	4068
Anna B Ryno	3193	Lizzie Gray	4117
Elias Henderson	3198	Nancy C Carey	4121
David E. Jenkins	3212	Annie E. Kenney	4165
Lizzie Falling	3233	William M. Ward	4169
Robert L. Payne	3283	Nannie Brewer	4189

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
John Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Moore	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigrow L Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John F Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCoy	5083
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5287
Dennie Burgess	5288

Nora B Burgess	5296
John E Exter	5299
Harriette Rogers	5300
Amanda Foreman	5304
William H Wells	5305
John T Gaylor	5306
Annie Sweeten	5309
Rosalee Hendricks	5320
Emma Chambers	5325
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5336
Charles Horton	5340
James W Goddard	5347
Dora Cox	5355
Nannie G Alberty	5356
Sallie Ward	5357
William H Satterwhite	5364
Lizzie Hall	5367
Cyrus B Essex	5369
Eda Taylor	5381
Laura Taylor	5382
Elector D Miller	5386
Emberson M Arnold	5388
Stella Henry	5389
William E Owen	5396
John M Sharp	5399
John L Davis	5504
Sarah E Downing	5508
Samantha C Glass	5520
Harry Jones	5525
Aggie Pate	5532
James A Halbert	5535
Phoebe Coker	5537
Anthony K Douglas	5538
Joseph H Johnson	5541
Harvey O Riggs	5542
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
John Kidd	5575
William K Grant	5576
Rosa M Sackville	5581
Nancy Johns	5582
James H Green	5599
Annie R C Green	5600
Jesse McNaught	5602
Charles J Strange	5610
Henry Shoemaker	5611
Emma H Beard	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Hendrick	5615
William X Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shump	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Siegel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Ann W Simmons	5683
William J Kuhn	5686
Elsie Couch	5688
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5701
Dennis W Smith	5702
William H Chestnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5730
Joseph A Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Crafton	5750
Benjamin F Coffee	5756
Frank Wedgebloom	5780
Charles D Pendleton	5775
Sheridan H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Extine	5798
Ida Wyly	5802
Rupert L Fite	5815
Edward Lutz	5816
John F Wentworth	5820

Horace H. Huddlestun 5832
William R. Sartain 5837
Joseph A. Lawrence 5843
William H. Hinton 5846
Joseph Lehr 5851
Enin M. Young 5852
Mary C. Barnes 5853
Matilda Thompson 5861
William W. Young 5872
Earley F. Ellis 5874
Rosa B. Alberty 5877
Sarah Cannon 5879
Mamie Beck 5887
Jack H. Merchant 5888
John D. Merchant 5889
Sarah E. Ghormley 5894
Jerry Young 5906
James H. Brickey 5916
Mary Hicks 5919
George W. Weems 5922
Albert Crain 5923
James M. Jones 5932
Alfred W. Shelly 5935
John M. Stratton 5936
Waddie Hudson 5937
Robert C. Johnson 5939
Mary T. Thompson 5941
Edith A. Parris 5943
Addie Hubbard 5949
John A. Lowry 5962
John R. W. Brantley 5963
James T. Carroll 5964
Christopher F. Jordan 5965
Minerva E. Stover 5966
John W. Twilley 5967
Joseph W. Mounce 5970
Cornelius P. Potter 5971
Amanda C. Thompson 5972
John M. Rusk 5976
Harrison L. Hughes 5978
Silas B. Dildine 5983
Lewis M. Payne 5985
Nancy Beamer 5988
Sarah F. Selvidge 6002
Posy F. Buckner 6005
John A. Moreland 6010
Alice Welch 6015
Mary C. Thompson 6022
John Beck 6029
William R. Tittle 6039

George C. Duffield 6031
Amelia Reese 6033
Alexander West 6036
John Tootle 6037
Florence G. Langley 6038
John T. Ham 6042
Mary L. Jordan 6048
John W. Bradshaw 6076
James L. Dean 6079
Amanda J. Thompson 6082
Malissa Hubbard 6089
Jane Benge 6111
John D. Ryals 6113
John C. DeLozier 6117
Jessie Willis 6116
Mary A. Clark 6124
Mary J. Tipton 6125
Leander Newton 6126
William A. Qualls 6128
Henderson B. Thomas 6144
Hugh T. Watkins 6163
Nancy Keys 6172
Berry Hutchins 6186
Eli Parker 6190
Sarah E. Shaw 6194
Julia Keys 6211
Boon J. Grey 6214
John Grubb 6216
William M. Costephens 6220
Jane Bean 6222
Lilhe I. Taylor 6226
Abbie B. Adair 6229
Mack C. Watkins 6246
Robert W. Murray 6261
John G. Petty 6269
Lucinda Pourboy 6279
Sarah Mayes 6285
Henry W. Pyeatt 6289
Isaac A. Wilson 6295
John T. Hall 6310
Edward L. King 6315
Katie Stull 6325
Emmer Carlile 6326
Bird Webster 6347
Fannie Morris 6353
Leonard Lee 6357
James R. Miller 6368
James Brackett 6370
Nora Allen 6371
John T. Washington 6373

James J. Snider 6375
William H. Winget 6376
Ida R. Wilkerson 6383
George A. McBride 6385
Matilda Cookson 6387
William A. Fisk 6392
William O. Ames 6394
Thomas Wilkerson 6396
Alice C. Springston 6407
Fanny N. Witt 6413
Lillie M. Adair 6424
Mark F. Matheson 6428
Ida L. Wilson 6431
George E. Marrs 6441
Ulysses S. Reeves 6443
Daniel A. Smith 6447
Henry J. Dawson 6450
Sarah Adair 6452
Ida F. Wilson 6455
Mary E. Taylor 6459
Catherine Henson 6468
Charles C. Fitzsimmons 6471
Mary E. Campbell 6476
Columbus N. Long 6478
Mary Wilkerson 6480
Myrtle Ward 6484
Belle Manus 6499
Martha E. McLain 6508
Mary A. Brown 6517
Marion M. Ballew 6530
Mellie Mayfield 6540
Sarah Blevins 6541
Frank Powell 6542
Georgia Jackson 6546
Leonard S. Simpson 6549
Almira Cusrey 6560
James McInerney 6561
Fannie Carlile 6578
Sadie A. Mayfield 6580
Silas A. Bryan 6581
William S. Martin 6585
Emma J. Thompson 6589
Lydia McDaniel 6593
David W. Lamb 6595
Gus R. Hart 6603
Flora Phillips 6632
Lena E. Daniel 6678
William W. Turner 6689
Lillie B. Blackstone 6714
Mary Lillard 6715

James L. Lee 6717
Rosa Phillips 6723
Kate Brown 6735
Laura B. Barnett 6743
Elizabeth Sanders 6745
William T. Neff 6747
William R. Scott 6751
Laura Fish 6770
Maggie Ketcher 6779
Dora A. McDonald 6783
Rosia B. Willis 6785
Daniel Hubbard 6787
Mary R. Tadpole 6801
Magnus A. McSpadden 6811
Sarah F. Pathkiller 6824
Clora Twist 6845
Mattie M. Welch 6846
Cora Griffin 6850
John S. Hyatt 6853
Jefferson K. Tyner 6855
Flora R. Miller 6859
Lizzie Craig 6872
Jacob C. Johnson 6876
George W. Ware 6897
James B. Deatherage 6901
Lucinda F. Hartness 6943
Frances E. Tehee 6961
James M. Burt 6965
Rady Tipton 6975
Laura Hendricks 6976
Laura V. Smith 6979
Lorenzo C. Darnell 6988
Robert M. Mitchell 7004
William Henry Reeve 7005
James Pyle 7009
Willie Hilderbrand 7015
Alice M. Roberson 7031
Charles Morris 7043
Minerva J. Trent 7051
John H. Keith 7078
Katie E. Ratley 7080
Etta Patrick 7081
Nannie Martin 7090
Rosa B. Harris 7094
Samuel Brown 7100
William H. Turner 7101
Florence Mayes 7104
Maggie McCoy 7112
Mary Belle Cordry 7113
Benjamin Haner 7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary F Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie F McClure	7171
Benjamin B Graham	7176
Ada Pharis	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James L Goad	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Krasny Sapetocket	7378
Sarah J Johnson	7394
William I Bratcat	7409
Wyatte I Brady	7412
Lena O Heddermat	7413
Mary I Hennaughton	7420
Bertha A Allen	7425
Robert J Ewen	7426
Lizzie B Mart	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketchet	7488
Charles D Ingram	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy L Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
William M Wilson	9444
David O Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
Johnas G Ainsworth	9456
Mary J Christy	9460
Malinda Seabolt	9462
Mary Crumpton	9464
Mollie P Mulkey	9465
Andrew Brimmer	9467
James F Flippin	9471
William Bard	9473
Mollie C Forbes	9476
William H Thomason	9478
Mollie Devine	9481
Mary P Guthrie	9482
Detlev N Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A Waltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
William Bugher	9577
James M Smith	9582
John E Nazworthy	9583
Beverly L Lafon	9587
Robert L Gentry	9590
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Bate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9636
Annie Sanders	9638
Mack H Martin	9640
Mary Ward	9653
George Givens	9658
Phoney Poorboy	9660
Charley Kiper	9671
Andrew J Snider	9672
William T Barton	9684
Daniel Crail	9770
Mary M Motte	9771
Lecia E Herrin	9854
Gailen E Carrick	9855
Rosa B Barger	9857
Rachel Foreman	9858
Serepta C Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E Dry	9878
William G Brown	9879
John B Delay	9881
Pairlee Thompson	9882
Guenther W Werther	9883
Margaret Crittenden	9884
Moses L Morris	9889
Sarah L Rogers	9891
Stephen Duncan	9892
Gideon D Sleeper	9895
William A Maddin	9896
John H Horton	9904
Howe L Rogers	9905
William Rush	9912
George W Edens	9916
William H Hall	9920
Edith B Pheasant	9935
Carrie A Collins	9936
Lucinda Spriggs	9937
Ella F Hail	9939
John W Harris	9940
Hannah Raper	9942
John J Coughran	9945
Youra F Waybourn	9946
Louisa J Taylor	9947
William M Evans	9948
William F Pierce	9950
May E Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M Cox	9964
Jerusha E Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W Fleming	9994
Samuel Holmes	9995
Walter H Talley	9997
Hannah J Miller	9998
Clara V Ward	10002
Stephen W Pittsenberger	10003
Mary E Palmour	10008
William T Partin	10011
Nelhe Fields	10013
Sarah A Dawes	10015
Willard E Hutchins	10016
Jesse Talbert	10020
Julia E Setser	10021
Amanda E Howell	10022
Mamie J Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	287
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	324
Henry Grubb	D	326
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Affrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	430
John M. Bidemour	D	436
Emery S. Thompson	D	464
Joseph Reed	D	466
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	494
America Mayes	D	501
Moses L. Gramer	D	503
Myrtle Hall	D	509
Wallace Thurwday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Boden	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	608
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	634
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Burnsteller	D	655
Nathan J. Brink	D	682
William S. Miles	D	696
Emma Waybourn	D	698
Dora E. Rogers	D	705
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Questen	D	728
Francis M. Beattie	D	734
Amos W. Land	D	745
Agnes W. Chambers	D	749
John E. Renfroe	D	752
William Coon	D	759
Louis Bruner	D	779
Georgia A. Waybourn	D	786
Elias Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robinson	D	799
Arthur Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	833
Annie Garrett	D	836
George S. Yarbrough	D	835

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Grain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Noel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tolmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

[illegible] F. Couch	D	2700
Albert C. Dukes	D	2703
Delbert Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lula Ware	D	2722
John D. Mathews	D	2723
Ware McIntosh	D	2725
Bertha Nuliffer	D	2730
Harbard Nichols	D	2731
[illegible]	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John F. Thurman	D	2749
Ware E. Davis	D	2770
Bessie Brock	D	2774
Emma Burfington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dorris	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Gracham	D	2798
Alex C. Hill	D	2799
Bertha H. Harlin	D	2800
Margaret C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Whaddox	D	2807
John A. McKenzie	D	2808
Jane Weldon	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Murrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charles Nuckolls	D	2815
Etta M. Nuliffer	D	2817
Lonzar Osmore	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Calvard	D	3000
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simeo	D	3059
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Hosmre Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharies	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thurston	D	3183	Dora Crane	R	628
Minnie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosanna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

Muskogee, Indian Territory, June 14, 1902.

Mr. Thomas B. Brown,

Collinsville, Indian Territory.

Sir:

You are required to appear before the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, before June 17, 1902, and submit further evidence in the matter of the application for your enrollment as a citizen of the Cherokee Nation.

It is important in the further consideration of your case that evidence be introduced regarding the marriage of your wife, Johnnie Ann, to Will Penn, and their separation. If a divorce was had between your wife, Johnnie Ann, and Will Penn it will be necessary for you to supply the Commission with a certified copy of the decree of divorce. If Will Penn had a wife living from whom he had not secured a divorce, at the time he was married to Johnnie Ann Little, it will be necessary for you to produce evidence of that fact.

Yours truly,

Acting Chairman.

In answering refer to
Cherokee 3 741
Register.

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1902.

Mr. Thomas B. Brown,

Collinsville, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the eighth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-741
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

E D741

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

COPY.

Cherokee D-741.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Thomas B. Brown for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. H-11.

COPY.

Cherokee Nation.

Tahlequah, Indian Territory, February 25, 1903.

Thomas B. Brown,
Collinsville, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

James Dixby,
Chairman.

Enc. R-104.
Register.

Cherokee
IOICO

Muskogee, Indian Territory, January 18, 1907.

Thomas B. Brown,
Collinsville, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. B

Commissioner.

Cherokee
10369.

Muskogee, Indian Territory, March 14, 1907.

Thomas B. Brown,

Collinsville, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,

EJC

Commissioner.

Cherokee
S. 64 Ed.

Muskogee, Indian Territory, March 14, 1907.

W.H.Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting the application for the enrollment of Jones Vann, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Department decision referred to.

Respectfully,

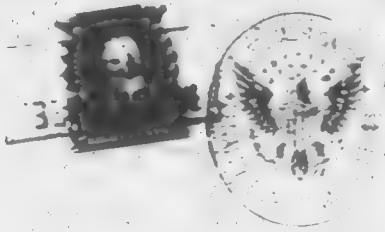
Encl.C-1369
RAS

Commissioner.



Department of the Interior.

MUSKOGEE, IND. TER.





Cher 10110

William Hannah

Trans. from D932

Cher 10110

REJECTED, as to Applicant's Wife:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 11th, 1900:

In the matter of the application of William Hannah for the enrollment of himself, wife and children as citizens of the Cherokee Nation; said Hannah being sworn and examined by Commissioner Brecki nridge, testified as follows:

Q Give me your full name? A William Hannah.
Q How old are you? A 22.
Q What is your post office? A Stilwell.
Q In what district do you live? A Flint.
Q Who is it you want to enroll, yourself? A Wife and one child.
Q Yourself, wife and one child? A Yes, sir
Q Are you a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir.
Q White woman? A Yes, sir.
Q Have you lived in the Cherokee Nation all your life? A Yes, sir
Q Give me the name of your father? A Poe Hannah.
Q Is he alive? A No, sir.
Q Give me the name of your mother? A Lizzie.
Q Is she dead? A Yes, sir.
Q Give me the name of your wife? A Annie.
Q How old is your wife? A 24 years old.
Q When did you marry her? A Soon be two years, the 28th of this month.
Q You were married on December 28th, 1898? A Yes, sir.
Q Have you a certificate of marriage? A Yes, sir.
Q What was her maiden name? A Kincade W.

Com'r:--The applicant presents a license issued by the Clerk of the United States Court, Northern Distri ct, Indian Territory, o the 28th of December, 1898, authorizing marriage between himself and his wife. The certificate shows that they were married on the following day by the Rev. Milton A. Clark. This is filed herewith.

Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Has she lived with you ever since you married? A Yes, sir.
Q Give me the name of your child? A May.
Q How old is the child? A Born the 16th of August.
Q Were you ever admitted to citizenship? A Yes, sir.
Q When were you admitted to citizenship? (No response.)
Q Do you know anything about your father and mother being readmitted to citizenship? A My mother was born and raised here.
Q What was your mother's name before she married your father? A Fletcher.
Q Do you know that you mother and father were admitted by the Cherokee Council or Commissi on? A No, sir, I do not, I do not think they were.
Q Did they ever a ly to the Dawes Commission for admission that you kn w of? A No, sir, not as I know of.
Q Did you draw Cherokee strip money? A Yes, sir.
Q Was your mother a Cherokee by blood? A Yes, sir.
Q Was your father a Cherokee by blood? A No sir, a white man.

1896 Roll; pa e 674, 7954, Willie Hanna, Flint.

Com'r Breckinridge:--The applicant a plies for the enrollment of himself, wife and one child: He states that he has is a Cherokee b y blood and that he has lived in the Cherokee Nation all his life. He is identified on the roll of 1896, but neither he nor his father or mother can be identified on the roll of 1880. He is of the impression that his people were admitted to citizenshi p by the Cherokee Commission, but no evidence of that can be found at this time. He will now be listed as a Cherokee by blood on a doubtful card to await further evidence of his citizenship.

His wife, Annie, is shown to have been married to him in 1898, on December 28th. She is a white woman. Her marriage is too late under the Cherokee law of December 16th, 1895, to entitle her to entollment at this time, and therefore, apart from the status of her husband, the application for her enrollment is rejected.

When he files a certificate of the birth of the child, Emma, who is said t o have been born on the 16th of August last, this child will be listed for enrollment on a doubtful card with its father.

---oooOOOooo---

SUPPLEMENTAL TESTIMONY in the above Application:

William Hannah, the Applicant, further testi fied:

Q Was your mother called Sarah as well as Elizabeth? A Yes, sir.
Q Have you uncles? A Yes, sir.
Q Who is one of your uncles? A B. G. Fletcher.
Q How old is your uncle now? A About 40 something.

Com'r:--On the printed roll, at present under examination, in the p ossession of the Cherokee Nation, the name of Benjamin Fletcher is recognized in Flint district, No. 512, ate then 21 years.

Q Well now, who else did you have an an uncle besides Benjamin? A John.

Com'r:--On the same roll in Going Snake is recognized the name of John Fletcher, who was then 10 years of age, No. 713, and he is in the family with Sarah Fletcher, who the applicant states was his mother.

Q When did your mother marry your father, you don't know about that d you? A No sir, I do not.
Q When did your mother die? A It has been about 10 years.
Q Did you live with her until she died? A Yes, sir.
Q All the time? A Yes, sir.
Q What brothers have you? A John.
Q Just one brother? A Yes, sir.
Q And what sisters? A Bell and Mary and Dona.

W. D. BIGBY, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give your name there? A W. D. Bigby.
Q How old are you? A 29.
Q What is your post office? A Stilwell.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know this applicant here, William Hannah? A Yes, sir.
Q What was his mother's name? A Sarah Elisabeth Fletcher was her maiden name.
Q Now, her name is not on the roll of 1880, can you explain why this applicant's name is not on that roll; he was two years old at t hat ti me, according to his testimony. No, sir, I can't, he must be mistaken in his age. I think it was about near that time when she and her husband married, she lived at our house and went to school about that time.
Q She lived at your house? A Yes, sir, my father's house.
Q And she married Joe Hannah? A Yes, sir.
Q Well not, is this applicant here, William, always been recognized as the actual child of that Sarah Fletcher? A Yes, sir.
Q Never any question about his being her child? A No, sir, all the family lived together until the mother died and I think they staid with the grandmother a little whil, and then his father married his mother's sister and they went to housekeeping.

Q Sarah Fletcher is given on the roll of 1880 as 14 years old, do you think she was older than that in 1880? A I could not say.
Q She is given there with Charlotte Fletcher, who is Charlotte Fletcher? A That is her mother.
Q And with John Fletcher, who is John Fletcher? A That is her brother; she was the oldest and John was next.
Q How old you say you are? A I am 29.
Q Was she married in 1880, this Sarah Fletcher? A I do not know whether it was in 1880 or not.
Q Can you remember when she was married? A Yes, sir.
Q Do you remember when this man was born? A No, sir, I remember when he was a little bitty fellow.
Q Who was he living with then? A Poe Hannah and her mother. They lived about six or seven miles from us.
1880 Roll; page 433, #713, Sarah Fletcher, Going Snake.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 12th day of December, 1900.

Commissioner.

OF THE INTERIOR,
SION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 11 1900

ACTING CHAIRMAN.

B932

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(22) Date DEC 11 1900 1900.

Name William H Hannah Shawnee Ind Ter

District FLINT. Year 1896 Page 674 No. 924

Citizen by blood Full Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 May E Hannah Dist. Year Page No. Age 11 mos

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 on 1896 roll as Willie Hanna

2 Birth affidavit required

Further evidence of citizenship to be supplied

Ref to R477

0932 E

20

IN RE

Application for Enrollment of

INFANT CHILD

Mary E. Hannah

as a citizen of the

Cherokee Nation.

Approved, FEB 11 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 11 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

Mary E. Hannah (three names of child), born on the 16th day of August, 1900.

Name of Father: William Hannah, a citizen of the Cherokee Nation.

Name of Mother: Annie Hannah, a citizen of the Cherokee Nation.

Post-office, Stilwell In Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Northern District.

I, Annie Hannah, on oath state that I am Twenty Four years of age and a citizen, by Adoption, of the Cherokee Nation; that I am the lawful wife of William Hannah, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 16th day of August 1900; that said child has been named Mary E Hannah, and is now living.

Witnesses to mark: Annie Hannah

(Must be Two Witnesses) B. C. Kinnard, Elonna Waters

Subscribed and sworn to before me this 10 day of Dec 1900.

B. Brewer

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, Indian Territory, Northern District.

I, Grace A. Waters, a physician, on oath state that I attended on Mrs. Annie Hannah, wife of William Hannah, on the 16th day of August, 1900; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Mary E Hannah

Witnesses to mark: Grace A. Waters, M.D.

(Must be Two Witnesses)

Subscribed and sworn to before me this 16 day of Dec 1900.

B. Brewer

NOTARY PUBLIC.

SUPPLEMENTAL:

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., December 11, 1900.

In the matter of the application of William Hamma for the enrollment of himself;
Thomas L. Rider, being sworn and examined by Commissioner Brockinridge testified as follows:

Q Give your full name, A Thomas L. Rider.
Q What is your post-office? A Evansville.
Q In what district do you live? A Saline.
Q How long have you lived in the Cherokee Nation? A All my life.
Q How old are you? A 44
Q Mr. Rider, do you know William Hamma? A Yes sir.
Q This is he standing here? A Yes sir.
Q He made application here this morning and states that his mother was one Sarah Elizabeth Fletcher, do you know anything about his mother. A Yes sir.
Q She is dead now? A Yes sir.
Q And you know him to be the child of that woman do you? Yes sir.
Q What was his father's name? A Polar Hamma.
Q Did they live near you? A Yes sir
Q Now they have got the record a little mixed, but he says he is 22 years old, and yet he is not on the roll of 1880, and his mother is on the roll of 1880 under her maiden name; but do you know him to be recognized as the child of the father as he states, and of this woman? A Yes sir.
Q And that this woman later did at least bear the name of his father. A Yes sir.
Q He had always been recognized as such A Yes sir.

H.D.Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

H.D.Green

Subscribed and sworn to before me this December 12, 1900.

O.H.Brockinridge

Commissioner.

R.

C. D-932.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William Hannah for the enrollment of himself and child as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 25, 1902, that his application for the enrollment of himself and child as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 13th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit: the 13th day of March, 1902, been called, and failing to respond, it is deemed that this case be completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 198.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Willian Hanna, of Stilwell, in the Indian Territory, aged 21 years, and Miss Anna Kinkade, of Stilwell, in the Indian Territory, aged 21 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 28th day of December A. D. 1898.

James A. Winston
Clerk of the U. S. Court.

By H. W. C. Shelton Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, Milton A. Clark, a Minister of the Gospel, Do Hereby Certify, that on the 29th day of December, A. D. 1898, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 29th day of December A. D. 1898

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A, Page 48.

Milton A. Clark
A Minister of the Gospel.
M. E. Church South

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 28 day of Feby 189 9, at M., and duly recorded in Book G, Marriage Record, Page 436.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 28 day of Feby, A. D. 189 9.

Jas. A. Winston Clerk.

By Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., June 4 190 2.

I, the undersigned, Stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of William Hannah et al. as citizens of the Cherokee Nation.

W S Kenfield
Commissioner

D932

IN RE

Application for Enrollment of

INFANT CHILD

Charles B. Hannah

as a citizen of the

Cherokee Nation.

Approved Oct 31 1902

T. B. Needles

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 31 1902

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Charles B. Hannah (Here insert name of child.), born on the 12 day of June, 1902
Name of Father: William Hannah, a citizen of the Cherokee Nation.
Name of Mother: Annie Hannah, a citizen of the Cherokee Nation.
Post-Office: Stilwell I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern District.

I, Annie Hannah, on oath state that I am 26 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of William Hannah, who is a citizen, by blood, of the Cherokee Nation, that a male (Male or female.) child was born to me on the 12 day of June 1902; that said child has been named Charles B. Hannah, and is now living.

Annie Hannah

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 day of July 1902.

Comm. Exp Nov. 19 1904

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern District.

I, P C. Woodruff M D, a Physician, on oath state that I attended on Mrs. Annie Hannah, wife of William Hannah on the 12 day of June, 1902; that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named Charles B. Hannah

P C Woodruff M D

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 day of July 1902

Comm Exp Nov 19 1904.

Notary Public.

R.
Cher. D-932.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., August 14, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the enrollment of WILLIAM HANNAH and others as citizens of the Cherokee Nation.

B. G. FLETCHER, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: Your name is B. G. Fletcher, your age is forty-three, and your post office address is Stilwell, Indian Territory? A Yes.
Q You are a recognized citizen by blood of the Cherokee Nation?
A Yes sir.
Q You state you desire to give some information in regard to the enrollment of William Hannah? A His right name is William P., but he gave it in as William.

MR. HASTINGS: Do you know William Hannah? A Yes sir.
Q Where does he live? A Flint District.
Q What is his post office address? A Stilwell.
Q About what is his age? A He was born in 1880
Q Did you know his mother? A Yes s r.
Q What is her name? A Elizabeth Hannah.
Q What is his father's name? A A. W. Hannah.
Q I find A. W. Hannah and Elizabeth Hannah, who seem to be husband and wife, on the 1880 roll for Goingsnake District. Are they the father and mother of this William Hannah, the applicant.
A Yes sir, I think so.
Q Where was William Hannah born? A In Goingsnake District.
Q Has he always lived in the Cherokee Nation? A Always lived in Flint District ever since 1880, the fall of 1880.
Q Living there now? A Yes sir.
Q Married? A Yes sir.
Q What is his wife's name? A Ann.
Q She a Cherokee or a white woman? A White woman.
Q Married since December 16, 1895? A Yes sir.
Q Has he any children? A He has two at present time.
Q What is the oldest one's name? A Could not tell you to save my life.
Q He and his wife and these children are living now in Flint District, Cherokee nation? A Yes sir.
Q Is he a relative of yours? A He is a nephew of mine.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimonyand proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Subscribed and sworn to before me this 23rd day of August, 1902.

John W Rosson
Notary Public.

Cherokee D-932.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of William, May E. and Charles B. Hannah as citizens by blood of the Cherokee Nation.

-- -- -- -- -- -- -- -- -- -- --

D E C I S I O N.

--:o:--

The record in this case shows that on December 11, 1900, William Hannah appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment, among others, of himself and his minor child, May E. Hannah, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 13,1902, and at Tahlequah, Indian Territory, on August 14, 1902. The other party to the application is differently classified, and is not embraced in this decision. On October 31, 1902, there was filed with the Commission a birth affidavit, wherein it is shown that Charles B. Hannah was born subsequent to the original application.

The evidence shows that the said William Hannah has resided in the Cherokee Nation all his life and is a Cherokee citizen by blood. His mother is identified on the 1880 Authenticated Tribal Roll of the Cherokee Nation. He is identified on the Cherokee Census Roll of 1896.

The evidence further shows that William Hannah was lawfully married to Annie Kinkade on December 29, 1898, and, as a result of that marriage, May E. Hannah and Charles B. Hannah were born. They are too young to appear upon any of the tribal rolls of the Cherokee Nation, but are identified by birth affidavits, made a part of the record herein. The evidence also shows that the applicants herein have lived in the Cherokee Nation all their lives.

It is, therefore, the opinion of this Commission that William Hannah, May E. Hannah and Charles B. Hannah should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Dated at Muskogee, Indian Territory, this FEB - 2 1903

L. R. Breedlove
Commissioner.

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 25, 1902.

Mr. William Hannahs

Stilwell, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and one minor child

for enrollment as citizen ~~#~~ of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 13 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cher dtee D-932
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

4. 11933

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

Cherokee 3-272.

Muskogee, Indian Territory, February 20, 1903.

William Hannah,
Stilwell, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself and your two minor children, May M. and Charles B. Hannah, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. E-102.
Secretary.

COPY.

Cherokee D-932.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of William Hannah for the enrollment of himself and his two minor children, May E. and Charles B. Hannah, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M.L.

Cher 10111

Samuel L. Milligan

Trans. from D1175

Cher 10111

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE?, I. T., MARCH 27? 1901.

In the matter of the application of Samuel L. Milligan for the enrollment of himself as an intermarried citizen of the Cherokee Nation. He being first duly sworn by Major Breckinridge? testified as follows:

(Examination by the Commission:)

Q. Give me your full name. A Samuel L. Milligan.
Q How old are you? A 44.
Q What is your postoffice? A Webbers Falls.
Q In what District do you live? A Canadian.
Q Who is it you want to have enrolled-- yourself and family?
A Myself alone.
Q Are you a Cherokee by blood? A No sir.
Q White man? A Yes sir.
Q You claim as an intermarried citizen? A Yes sir.
Q When were you married? A In December? 1892.
Q To whom were you married? A Susan J. Milligan.
Q What was her name when you married her? A Milligan.
Q Same as at present? A Yes sir.
Q Is she alive or dead? A She is dead.
Q How long has she been dead? A She died in 1896.
Q Give me the name of her father. A Her father, Isaac H. Mayfield, I think that was his initials.
Q Is he dead or alive? A He is alive.
Q Give me the name of your wife's mother. A Polly Mayfield.
Q Is she dead or alive? A Alive.
Q How old was your wife when she died? A About 43 or 44.
Q How long had she lived in the Cherokee Nation?
A Since 1885: I think she came in 1885.
Q Were you ever married until you married this wife? A No sir.
Q Have you your marriage license and certificate? A Yes sir.
Q Let me have them. I got them torn but I think you can make them out. (Marriage license and certificate given to Commission).

ByCommission:

The applicant presents a mutilated official copy of a marriage license, showing that on the 16th day of December, 1892, he was licensed to marry Lizzie Susan Milligan, by the Clerk of Canadian District, and a certificate in accordance therewith, showing that they were united in marriage on the 22nd day of the same month and in the same year, by the clerk of the district. The material parts of these documents are not destroyed, and they are filed herewith.

Q Your wife was married before she married you? A Yes sir.
Q How often was she married before she married you? A One time.
Q Give me the name of her first husband? A Isaac A. Milligan.
Q Is he dead? A Yes sir.
Q Was he dead before your wife married you? A Yes sir.
Q Did you or your wife live together from the time of your marriage until her death.
Q And all the time in the Cherokee Nation? A Yes sir.
Q Have you lived in the Cherokee Nation ever since your wife died?L
Q Have you remarried since your wife died? A No sir.
Q You say your wife came to the Cherokee Nation in 1885?
A I think it was in 1885.
Q Where did she come from? A Tennessee.
Q Was she admitted to citizenship by the Cherokee Council, or by the Commission? A By the Cherokee Council.

Q Have you a copy of the certificate of admission? A I have not.
Q Did your wife have any children by her first husband? A Yes sir.
Q Give me their names? A Millie Milligan, Caleb Milligan.
Q Did she have another child? A She had a daughter that died.
Q What was her name? A I forget, she has one living yet, Gracie.
Q Gracie is living is she? A Yes sir. And a boy, Frank.
Q Her first husband was not dead at the time she was admitted to citizenship was he? A No sir, I think not.

By the Commission:

In the printed copy of admitted citizens in the possession of the Cherokee representative present, there appears the name of Susan J. Milligan, admitted to citizenship March 31, 1887, with her children substantially as stated by the applicant.

Q Now, your wife came to the Cherokee Nation, did she, in 1885?
A Yes sir.
Q And she lived in the Cherokee Nation from that time until she died?
A Yes sir.

(Commissioner to clerk: Give me the 1896 enrollment of Susan J. Milligan. Clerk: Not on the roll.

A She died in April, 1896.
Q Give me the enrollment of Samuel L. Milligan on the 1896 roll.

1896 census roll of the citizens of the Cherokee Nation examined, and the name of the applicant identified thereon as follows: 1896 roll, page 90, No. 191, Samuel L. Milligan, Canadian District, intermarried citizen.

By the Commissioner:

The applicant applies for the enrollment of himself as an intermarried citizen, he being a white man. It is shown by the official record filed herewith and set forth in the testimony that he married his Cherokee wife now deceased, in 1892. It appears that she came to the Cherokee Nation in 1885 and lived constantly in the Cherokee Nation from that time until her death in April, 1896: and that she was admitted to citizenship by the Cherokee Commission on citizenship in 1887. The applicant states that his wife was married once prior to her marriage to him, but that her first husband was dead when she married the appliant, and that he lived with his wife from the time of their marriage in 1892 until her death, and that he has continued since her death to live in the Cherokee Nation, and that he has never remarried. He is identified on the roll of 1896 as an intermarried Cherokee, and he will now be listed for enrollment as a Cherokee by intermarriage, but to await an official copy of the certificate of admission of his wife in 1887, his name will, for the present, be placed upon a doubtful card.

Kate Dillard, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause, and correctly recorded the testimony in this case, and that the foregoing is a full and complete transcript of her stenographic notes thereof.

Kate Dillard

Subscribed and affirmed to before me this 2nd day of June 1901.

Notary Public.

B-19 1175

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 27 1901

Acting Commissioner

Cass

Testimony Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date MAR 27 1901 1900.

44 Name Samuel L. Milligan Wichita Falls Ind. Ter.

District Canadian Year 1896 Page 96 No. 191

Citizen by blood Yes Mother's citizenship Ms.

Intermarried citizen —

Married under what law Date of marriage Dec. 97

License Yes Certificate Yes

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Copy filed MAR 27 1901 Certificate Copy filed MAR 27 1901

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Official copy of certificate of admission of Leonard & wife to be supplied

POOR ORIGINAL -
BEST AVAILABLE COPY

D 1175

FILED
MAR 27 1901
COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 27 1901

D 1175

Cherokee Nation,
Canadian Dist.
To any person legally authorized to solemnize marriage-Greeting:

You are hereby authorized to join in the holy bonds matrimony between Mr.Samuel Miligan, a citizen of the United States, and Mrs.Susan Miligan, a citizen of the Cherokee Nation, according to the usual customs and laws of the Cherokee Nation, and you are required to return this license to me for record within thirty days from the celebration of such marriage, of the same thereto appended and signed by you.

Given under my hand and seal of Office this 16th day of Dec. 1892.

Chas.E.Vann,
Clk. Can. Dist, C. N.

Cherokee Nation. Marriage Certificate.

I, Cnas.E.Vann, Clerk of Court, hereby certify that on the 22th day of Dec., 1892, I joined in marriage Mr.Samuel Miligan, a citizen of the U.S., and Mrs.Susan J.Miligan, a citizen of the C.N., agreeable to the authority given in the within license and the usual customs and laws of the C.N.

Given under my hand and seal of office this 22ª day of Dec. 1893.

Chas E.Vann, Clk.Can.Dist.C.N.

A true copy and recorde by me this 11th day of Jan. 1893.
Chas E.Vann, Clk,

Executive office Cherokee Nation,
Tahlequah, I.T.

I, B.W.Alberty, assistant Executive secretary of the Cherokee Nation, do hereby certify that the above is a true copy from the marriage record of Canadian District Cherokee Nation filed in this office by law and is in my custody.

Given under my hand and seal of this office this 5th day Dec. 1900.

B.W.Alberty, Asst.Ex.Sec.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, Ind.Ter., June 9, 1902.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of Samuel L.Milligan. D 1176.

T. Chick

Cherokee D-1175.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 21, 1902.

In the matter of the application of Samuel L. Milligan for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Samuel L. Milligan.
Q What is your age? A Forty-five.
Q What is your postoffice? A Webbers Falls.
Q Are you a white man? A Yes sir.
Q Are you claiming the right to be enrolled as a Cherokee citizen by intermarriage? A Yes sir.
Q What is your wife's name? A Susan J. Milligan; Mayfield before I married her.
Q She a Cherokee by blood? A Yes sir.
Q How long has your wife lived in the Cherokee Nation? A Since '85 up until '96 when she died.
Q Was she admitted to citizenship? A Yes sir.
Q When? A I don't remember, it is on the roll here.
Q Did she come here as soon as she was admitted or was she here?
A She was here before she was admitted.
Q She was here in the Cherokee Nation when she was admitted? A Yes sir.
Q Did she live in the Cherokee Nation from thattime until she died?
A Yes sir, tell she died in '96.
Q When were you married to her? A In December, '98.
Q Were you married under a Cherokee marriage license? A Yes sir, they were filed.
Q Was Susan your first wife? A Yes sir.
Q Were you her first husband? A No sir.
Q She had been married before she married you? A Yes sir, she married a Milligan before she married me.
Q Was her first husband dead when you married her? A Yes sir.
Q You and your wife have been living together ever since you were married? A Yes sir, until she died.
Q Never were separated? A No sir.
Q Do you know whether there ever was a certified copy of the certificate of your wife's admission filed with the Commission here? A Yes, I saw it.
Q Where? A I think Johnson or Cabel Milligan, her son, had it: Johnson was her son-in-law.
Q Was she admitted by an act of Council or Commission on citizenship?
A I don't know which.
Q Do you know what year it was? A No sir, it must have been '87.
Q Have you married since the death of your wife? A No sir.
Q Have you been living in the Cherokee Nation ever since you were married? A Yes sir.
Q Never made your home anywhere else have you? A No sir.
Q Have you any children? A None.

S-Docket 5, Ill legal.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 21st day of November, 1908.

B C Jones
Notary Public.

S-Samuel F. Williams.

The undersigned, being duly sworn, states that
in the examination to be [illegible] by [illegible]
this [illegible] and knowledge [illegible], and that [illegible]
is a true and correct transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 21st day of Novem[illegible], 1[illegible].

[signature]
Notary Public.

Cherokee D-1175.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of Samuel L. Milligan for enrollment as a citizen by intermarriage of the Cherokee Nation.

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D E C I S I O N.

The record in this case shows that on March 27, 1901, Samuel L.Milligan appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by intermarriage of the Cherokee Nation.. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 21, 1902.

The evidence in this case shows that Samuel L. Milligan was married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on December 22, 1892, to Mrs. Susan Milligan. On examination of the records of the Cherokee Nation, in the possession of this Commission, it appears that the said Susan Milligan was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, under the name of Susan J. Milligan, on March 31,1887. She had been formerly married to one Isaac A. Milligan, and it appears that such former husband was dead at the time of her marriage to the applicant. Samuel L. Milligan is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Samuel L.Milligan resided in the Cherokee Nation continuously with his wife, until her death in 1896, and since that time has continued to reside therein, and had not remarried up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Samuel L. Milligan should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this FEB -4 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W Williams	[illegible]
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W Barnes	48
Georgia Wood	54
Walter A Edens	62
Adda B Ward	69
Samuel G Victor	73
Sarah M. Thomas	109
William B Watson	165
William H Ford	173
Thomas N Wilson	185
Ulse Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	248
John W. Thurman	288
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A Sheffield	384
Vester C Martin	398
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T Miller	598
George A. Waters	632
Junette Messer	666
Joseph A. Patton	679
Benjamin G Holland	783
William Gordon	798
Maggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	847
John F. Carden	861
William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frasier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Elias Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Piqrow L. Jones	4641
Ada Berthelf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peek	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gayler	5266
Annie Sweeten	5269
Rosaler Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5336
Charles Horton	5340
James W. Goddard	5417
Dora Cox	5425
Nannie G. Rivers	5426
Sallie Ward	5435
William H. Sudderth	5484
Lizzie Hall	5487
Cyrus B. Ewers	5489
Eda Taylor	5493
Laura Taylor	5494
Hector D. Miller	5496
Emberson M. Arnold	5499
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
John Kidd	5575
William R. Greer	5576
Rosa M. Strickler	5581
Nancy Inlow	5587
Dancy H. Owen	5589
Annie R. C. Owen	5600
Jesse McKnight	5602
Cleora J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Jesse N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Hayden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5796
Ida Wyly	5802
Richard L. Fite	5815
Edward Lutz	5816
John F. Woodworth	5829

Horace H. Huddleston 5832
William R. Sartain 5837
Joseph A. Lawrence 5843
William H. Hinton 5846
Joseph Lehr 5851
Euin M. Young 5852
Mary C. Barnes 5853
Matilda Thompson 5861
William W. Young 5872
Farley F. Ellis 5874
Rosa B. Alberty 5877
Sarah Cannon 5879
Mamie Beck 5887
Jack H. Merchant 5888
John D. Merchant 5889
Sarah E. Ghormley 5894
Jerry Young 5906
James H. Brickey 5916
Mary Hicks 5919
George W. Weems 5922
Albert Crain 5923
James M. Jones 5932
Alfred W. Shelly 5935
John M. Stratton 5936
Waddie Hudson 5937
Robert C. Johnson 5939
Mary T. Thompson 5941
Edith A. Parris 5943
Addie Hubbard 5949
John A. Lowry 5962
John R. W. Brantley 5963
James T. Carroll 5964
Christopher F. Jordan 5965
Minerva E. Stover 5966
John W. Twilley 5967
Joseph W. Mounce 5970
Cornelius P. Potter 5971
Amanda C. Thompson 5972
John M. Rusk 5976
Harrison L. Hughes 5978
Silas B. Dildine 5983
Lewis M. Payne 5985
Nancy Beamer 5988
Sarah F. Selvidge 6002
Posy F. Buckner 6005
John A. Moreland 6010
Alice Welch 6015
Mary C. Thompson 6022
Ida Burk 6029
William R. Tittle 6030

George C. Duffield 6031
Amelia Reese 6033
Alexander West 6036
John Tootle 6037
Florence G. Langley 6038
John T. Ham 6042
Mary L. Jordan 6046
John W. Bradshaw 6076
James L. Dean 6079
Amanda J. Thompson 6082
Malissa Hubbard 6089
Jane Benge 6111
John D. Ryals 6113
John C. DeLozier 6117
Jessie Willis 6118
Mary A. Clark 6124
Mary J. Tipton 6126
Leander Newton 6136
William A. Qualls 6138
Henderson B. Thomas 6144
Hugh T. Watkins 6163
Nancy Keys 6172
Berry Hutchins 6186
Eli Parker 6189
Sarah E. Shaw 6194
Julia Keys 6211
Boon J. Grey 6214
John Grubb 6216
William M. Costephens 6230
Jane Bean 6232
Lillie I. Taylor 6236
Abbie B. Adair 6239
Mack C. Watkins 6246
Robert W. Murray 6261
John G. Petty 6269
Lucinda Poorboy 6279
Sarah Mayes 6286
Henry W. Pyeatt 6300
Isaac A. Wilson 6305
John T. Hall 6310
Edward L. King 6315
Katie Still 6325
Emmer Carlile 6328
Bird Webster 6347
Fannie Morris 6353
Leonard Lee 6357
James R. Miller 6362
James Brackett 6370
Nora Allen 6371
John T. Washington 6373

James J. Snider 6375
William H. Winget 6376
Ida R. Wilkerson 6383
George A. McBride 6385
Matilda Cookson 6387
William A. Fisk 6392
William O. Ames 6394
Thomas Wilkerson 6396
Alice C. Springston 6407
Fanny N. Witt 6413
Lillie M. Adair 6424
Mark F. Matheson 6428
Ida L. Wilson 6431
George E. Marrs 6441
Ulysses S. Reeves 6443
Daniel A. Smith 6447
Henry J. Dawson 6450
Sarah Adair 6452
Ida F. Wilson 6455
Mary E. Taylor 6459
Catherine Henson 6468
Charles C. Fitzsimmons 6471
Mary E. Campbell 6476
Columbus N. Long 6478
Mary Wilkerson 6480
Myrtle Ward 6484
Belle Manus 6499
Martha E. McLain 6508
Mary A. Brown 6517
Marion M. Ballew 6530
Mellie Mayfield 6540
Sarah Blevins 6541
Frank Powell 6542
Georgia Jackson 6546
Leonard S. Simpson 6549
Almira Usarey 6560
James McInerney 6561
Fannie Carlile 6578
Sadie A. Mayfield 6580
Silas A. Bryan 6581
William S. Martin 6585
Emma J. Thompson 6589
Lydia McDaniel 6593
David W. Lamb 6595
Gus R. Hart 6603
Poca Phillips 6632
Lois E. Daniel 6678
William W. Turner 6689
Lillie B. Blackstone 6714
Mary Lillard 6715

James L. Lee 6717
Rosa Phillips 6723
Kate Brown 6735
Laura B. Barnett 6743
Elizabeth Sanders 6745
William T. Neff 6747
William R. Scott 6751
Laura Fish 6770
Maggie Ketcher 6779
Dora A. McDonald 6783
Rosia B. Willis 6785
Daniel Hubbard 6787
Mary R. Tadpole 6801
Magnus A. McSpadden 6811
Sarah F. Pathkiller 6824
Clora Twist 6845
Mattie M. Welch 6846
Cora Griffin 6850
John S. Hyatt 6853
Jefferson K. Tyner 6855
Flora R. Miller 6859
Lizzie Craig 6872
Jacob C. Johnson 6876
George W. Ware 6897
James B. Deatherage 6901
Lucinda F. Hartness 6943
Frances E. Tehee 6961
James M. Burt 6965
Rady Tipton 6975
Laura Hendricks 6976
Laura V. Smith 6979
Lorenzo C. Darnell 6988
Robert M. Mitchell 7004
William Henry Reeve 7005
James Pyle 7009
Willie Hilderbrand 7015
Alice M. Roberson 7031
Charles Morris 7043
Minerva J. Trent 7051
John H. Keith 7078
Katie E. Ratley 7080
Etta Patrick 7081
Nannie Martin 7090
Rosa B. Harris 7094
Samuel Brown 7100
William H. Turner 7101
Florence Mayes 7104
Maggie McCoy 7112
Mary Belle Cordry 7113
Benjamin Haner 7119

James Maher 7128
Terry A Parkerson 7146
Cora L Hanks 7147
Otto J Zufall 7149
Rufus M Norman 7155
Mary F Foreman 7158
Alma West 7159
James M Connally 7161
Francis M Crowell 7163
Fannie E McClure 7171
Benjamin B Graham 7176
Ada Pharis 7180
William L Whisenhunt 7184
Frances B Perry 7191
Philip Shultz 7210
Hester A Miller 7212
Minnie B Edwards 7213
Eliza Jordan 7217
William T Ross 7218
Thomas M Price 7225
James G Wilson 7231
Frank Riesmar 7263
John W Thompson 7267
Melissa Booth 7271
Solon L Jackson 7273
Henry W Coughran 7282
Sarah Ross 7291
Mary S Smith 7322
John A Martin 7323
Myrtle Robinson 7330
Allen L Buckner 7331
James L Good 7350
Elijah Johnson 7351
Mary E Kimbrough 7360
Jennie Burr 7367
Kinney Sapsucker 7378
Sarah J Johnson 7394
William L Branan 7409
Wyatte T Brady 7412
Lena O Holderman 7413
Mary F Hummingbird 7420
Bertha A Allen 7425
Robert J Tyner 7428
Fannie B Martin 7434
Myrtle Wolfe 7435
Mary Blevins 7479
Sarah Ketcher 7498
Charles D England 7512
May Cochran 7544
Rebecca Oglesby 7549

Robert B Collins 7550
Nancy L Brown 7579
Mary B Walkingstick 7642
Robert T Kelleam 7653
Mollie Morton 7797
Mattie Girty 8006
Mack Alfred 8015
Ida Harmon 8016
Ida McCoy 8417
Rosie Foreman 8903
Annie Jackson 9034
Margaret T Langley 9092
Ida M Davis 9266
Nora Crapo 9289
Margaret Harmon 9378
Mary B Langley 9438
Ella Gravitt 9439
William M Wilson 9444
David O Scott 9446
Harnett Forbes 9447
John Carver 9449
Thomas J Davis 9451
Clara M Boudinot 9453
Mary E Keys 9454
John G Ainsworth 9456
Mary J Christy 9460
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Mary Cumpton 9464
Mollie P Mulkey 9465
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James F Flippin 9471
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Mollie C Forbes 9476
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Mollie Devine 9481
Mary P Guthrie 9482
Dudley N Leenskov 9484
Nannie Cowart 9485
Lenna Catcher 9489
Alexander B Clapp 9502
Tennie Sanders 9503
Virgil A Wiltshire 9505
Joshua K Carr 9510
Herbert Knoeland 9518
Hugh E Hope 9519
Thomas J Ritter 9522
Martha Baldridge 9529
James R Poindexter 9535
Maud Foreman 9539
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Joseph P Smith 9550
George E Watkins 9552
Florence Henry 9553
Jesse H Johnson 9560
Lydia B Barger 9561
Mary Jane Thomas 9562
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John E Nasworthy 9583
Beverly L Lafon 9587
Robert L Gentry 9590
John C Barker 9591
John P Greenwood 9593
Henry Hayes 9596
Ella Cornwell 9598
Asa A Hedrick 9599
William C M Robinson 9600
Woodrow Hadley 9612
William T Gregory 9613
Charles M Keys 9616
Bate O Reed 9618
Joseph E Feland 9623
Florence C Smith 9625
Charles M Cox 9630
Otis S Skidmore 9634
William H Hundley 9635
Thomas A McDonald 9636
Annie Sanders 9638
Mack H Martin 9640
Mary Ward 9653
George Givens 9658
Phoney Poorboy 9660
Charley Kiper 9671
Andrew J Snider 9672
William T Barton 9684
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Mary M Motte 9771
Leeta E Herrin 9854
Gailen E Carrick 9855
Rosa B Barger 9857
Rachel Foreman 9888
Serepta C Willis 9961
Virgie Seabolt 9964
Annie Cannon 9967
Isabella McCoy 9974
Robert E Dry 9978

William G Brown 9979
John B Delay 9981
Pairlee Thompson 9982
Guenther W Werther 9983
Margaret Crittenden 9984
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William A Maddin 9996
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William H Hall 9920
Edith B Pheasant 9935
Carrie A Collins 9936
Lucinda Spriggs 9937
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John W Harris 9949
Hannah Raper 9942
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Youra F Waybourn 9946
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William F Pierce 9949
May F Chambers 9950
Albert Stevenson 9954
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Elias Kyle 9991
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James W Fleming 9994
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Walter H Talley 9997
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Clara V Ward 10002
Stephen W Pittsenberger 10005
Mary E Palmour 10008
William T Partin 10011
Nellie Fields 10013
Sarah A Dawes 10015
Willard E Hutchins 10016
Jesse Talbert 10020
Julia E Setser 10021
Amanda E Howell 10022
Mamie J Rogers 10023
Nannie Rogers 10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
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Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Reinhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Coster	D	17
Martin L. Stoker	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oscico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	287
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	336
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	366
Ada Hall	D	376
Jane M. Hicks	D	386
Fannie L. Dupree	D	402
Willis Bastles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	420
John M. Bidenour	D	426
Emery S. Thompson	D	464
Joseph Reed	D	466
Adolphus J. Hallum	D	482
Alexander Walker	D	490
Albert J. High	D	491
American Mabry	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	508
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Graves Davis	D	577
Edward C. Boles	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Bumbalier	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Wayboorn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Beathe	D	734
Amos W. Lard	D	748
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Lewis Bruner	D	779
Georgia A. Wayboorn	D	786
Elsie Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Archie Williams	D	800
Adison Gearhart	D	806
Charles F. Rogers	D	845
Annie Garrett	D	856
George S. Tackenough	D	873

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lissie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2688
John Culwell	D	2689

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Emma Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Abee C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Isse McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Lemizer Onsowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3068
Alice Simco	D	3069
George O. Wallace	D	3060
Fannie Clay	D	3070
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COPY.

Cherokee D-1178.

Muskogee, Indian Territory, February 2, 1905.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1905, granting the application of Samuel L. Milligan for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. Roll.

COPY.

Cherokee R-1175.

Muskogee, Indian Territory, February 25, 1903.

Samuel L. Killigan,

Webbers Falls, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. R-110.

Register.

Cherokee
10111

Muskogee, Indian Territory, January 10, 1907.

Samuel L. Milligan,
Webbers Falls, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Encl. Dcsn. 5

Cherokee
Milli

Milligan, Indian Territory, March 15, 1907.

Samuel L. Milligan,
Webbers Falls, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Department January 26, 1907.

Respectfully,

EVE

Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W.W.Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-1.00
XXX

Commissioner.

Cher 10112

Charles Lavin

Trans from D1202

Cher 10112

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville, I.T., October 9, 1900.

In the matter of the application of Charles Levin for enrollment as a Cherokee by intermarriage: being sworn and examined by Commissioner Breckinridge, he testified as follows:

Q Give me your name, please? A Charles Levin.
Q How old are you? A 57.
Q What is your post office? A Bartlesville.
Q What district do you live in? A Coowescoowee district.
Q Who is it you want to have put on the roll, yourself and family?
A Myself alone.
Q Do you claim as a Cherokee by blood? A No, sir, am adopted.
Q Let me see your marriage license and certificate? A I lost them, I will show you what I have; someone broke into my house when my woman died and got a lot of things out and they got that too.
Q When were you married to your Indian wife? A In 1875.
Q Then you are on the roll of 1880? A Yes, sir.
Q Your wife is dead, is she? A Yes, sir.
Q What was her name? A She was a widow woman, her name was Eliza.
Q Was your wife a Cherokee? A A Delaware.
Q How long has your wife been dead? A She died in 1885.
Q And you married her you say in 1875? A Yes, sir.
Q Have you ever married since she died? A Yes, I married a Cherokee after that.
Q What was your first wife's name when you married her? A Eliza Bell.
Q Was that her maiden name? A No, her maiden name was Eliza Fish.
Q What is the name of your present wife? A Her name was Jennie.
Q Is she living? A No, sir.
Q Tell me the name of the woman you married after your wife died?
A Jennie Hayes.
Q When did you marry her? A I married her, I think it was — (exhibits paper.)
Q Your present wife's name was Jennie Hayes? A No, sir, it was Hayes.
Q You were married in August, 1886, were you? A Yes, sir.
Q Is she living now or dead? A No, she is dead.
Q Was she a Cherokee woman? A Yes, sir.
Q When did she die? A She died four years ago last February.
Q Did you live with your first wife from the time you married her until she died? A Yes, sir.
Q Did you live with your wife Jennie from the time you married her until she died? A Yes, sir.
Q And have you ever married since that wife Jennie died? A No, sir, I am a lone hand now.
(The applicant presents a paper under examination for correspondence with Cherokee authorities, showing that he married his present wife in August, 1886, according to the laws of the Cherokee Nation. This is filed herewith.)
Q Have you lived in the Cherokee Nation ever since your enrollment in 1880? A No, sir, it never lived anywhere else.
Mr. W.W.Hastings, representative of Cherokee Nation: What district were you in in 1880, 20 years ago.
Q I was in this same district, Coowescoowee district. I have never been out of this district.
Commissioner Breckinridge: What was your wife, Jennie Hayes', name 20 years ago, in 1880? A I can't tell you, it might be Jennie Keller. In 1880 I was sick in bed, I was a lone hand, and I sent my name in to the enrollment and I don't know whether the man got it in or not.
Q We don't find you on the record as you produce no license and certificate of marriage in accordance with Cherokee law.

The applicant applies for his enrollment as an intermarried Cherokee, stating that he married a Cherokee-Delaware woman in 1875. He does not produce a Cherokee license or certificate to that effect, nor is he or his wife to whom he claims to have been married at that time identified on the roll of 1880. He states that she died in 1883, and that in 1886 he married a Cherokee woman who died some four years ago, and that since that time he has not remarried. His Cherokee wife isn't identified on the roll of 1896, nor is the applicant identified on the roll of 1896. The applicant therefore not producing evidence of having been admitted at any time to Cherokee citizenship and not being identified upon any roll of the Cherokee Nation, it is considered that the Commission has no jurisdiction over his case and a memorandum will be made to that effect. If he desires this memorandum to be reported to the Secretary of the Interior, it will be done so upon his written request. The paper referred to in the testimony appears to be simply an affidavit and is returned to the applicant.

———o———

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 8th of October, 1900.

Commissioner.

Dixon B. Merrill

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 8 1900

Act'g Chairman

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 9 1900

Clerk

COOWEESCOOWEE.

Statement of Marriage Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 9 1900 1900.

57 Name Charles Lavins, Bartlesville I.T.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage (1873+(

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

Witness [illegible]

Mcann 115

Department of the Interior.
Commission to the Five Civilized Tribes.
Claremore, I. T., November 8, 1900.

In the matter of the application of Charles Lavin for the enrollment of himself as a Cherokee citizen.

Supplementary testimony.

Applicant by his attorney introduces certificate signed by A. E. Cunningham, Assistant Executive Secretary of the Cherokee Nation; said certificate being marked "Exhibit A."

Witness, D. W. Lipe, being sworn and examined testified as follows:
Q What is your name? A D. W. Lipe.
Q What is your age? A 60 years.
Q What is your postoffice? A Glen Eure.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.

By Attorney W. A. Chase, for the applicant-
Q Did you occupy any official position in the Cherokee Nation in '75? A Yes sir.
Q What was that? A Clerk of the District Court.
Q What district? A Coowescoowee.
Q You remember or not whether you issued a license to Charles Lavin, the applicant, he a white man, to marry a Delaware woman? A Yes.
Q Was the petition or the recommendation filed in your office before the license were issued? A I will say I wouldn't issue the license if they had not had the recommendation.
Q You know it was filed? A Of course, it must have been.
Q You know whether he was married in accordance with the laws of the Cherokee Nation? A I don't know.
Q You know whether he lived with his Delaware wife? A I heard so afterwards.
Q It is generally reputabted that he lived with a Delaware woman as his wife? A It was around that he was living with this woman as married.
Q You know whether he lived in the Cherokee Nation since that time? A Always lived in this district as far as I know.

Upon examination of the authenticated roll of 1880 the following is found:
page 134, #1750, Eliza Lafferne, Coowescoowee.
(No nationality or age given) Male head of household, her name was added by Revising Committee.
Q You know whether or not this name is the name of the wife of Charles Lavin? A No sir, I do not.
Q You know what her name was? A No, I don't remember her name.

Witness, John G. Saunders, being sworn and examined, testified as follows:
By Commissioner Needles-
Q What is your name? A John G. Saunders.
Q What is your age? A About 60.
Q What is your postoffice address? A Claremore.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.

By Attorney W. A. Chase-
Q Did you occupy any official position in the year 1875 or '76 in the Cherokee Nation? A I don't remember the year; I occupied several positions in the Seventies.
Q You were Senate Messenger in the Legislature? A Yes sir.
Q Did you enroll Charles Lavin and his wife? A I can't remember the year, but I and Rufe Ross took the Census for that year.
Q Did you enroll Charles Lavin and his wife? A I think we enrolled his wife as well as I remember.
Q Do you know whether or not Charles Lavin has lived in the Cherokee Nation since that time? A Most of my knowledge is hear-say.

2- W.L.

By W. W. Hastings, Representative of the Cherokee Nation-
Q You remember what his wife's name was? A I knew her before he married; she was a Bell.
Q You know when she died? A No, I don't recollect the year; sometime after that though.
Q How far does he live from you? A Forty miles I guess; from here to Bartlesville, somewhere near there.
Q You never saw his marriage license? A No sir.

E.C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the supplementary testimony of this case, and that the foregoing is a true and complete transcript of his stenographic notes in said case.

E.C. Rothenberger

Subscribed and sworn to before me this 9th day of November, 1900.

Commissioner.

A D D I T I O N A L - T E S T I M O N Y .

CHEROKEE MEMO. #115.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBUARY 26th, 1901.

IN THE MATTER OF THE APPLICATION OF Charles Lavin, Memo. #115.
C. V. Rogers, being sworn and examined by Commissioner, T. B. Needles testified as follows:

Q What is your name? A C. V. Rogers.
Q What is your age? A Sixty two.
Q What is your Postoffice? A Claremore.

By Mr. A. M. Calloway, Attorney for Applicant:
Q Can you state whether or not you are acquainted with Charles Lavin? A Yes, sir, I am well acquainted with him.
Q How long have you known him? A Ever since about '74 or '5.
Q Do you know whether he ever married or not to a citizen of the Cherokee Nation? A Yes, sir, his first wife was a Delaware.
Q Did he live with that woman until she died? A Yes, sir.
Q Did he marry again? A His second wife was Jennie Palone, raised in Going snake District right near me; I knew her well; she died and then he married Jennie Hayes; some called her Jennie Vann.
Q What was her blood? A She was a Cherokee, Bill Vann's daughter of Webbers Falls. And I think his last wife was a Delaware; after this last wife died, he married another Delaware woman; she's dead.

By Mr. W. W. Hastings, Cherokee Representative:
Q Were all four of these women citizens of the Cherokee Nation?
A Yes, sir all four, and I don't think that man ever was out of the Cherokee nation since he came here; I knew him well.

By Mr. A. M. Calloway, Attorney for Applicant:
Q Mr. Rogers, did you sign his marriage petition?
A I signed his first petition; me and Major Lipe and Musgrove and several others.

Commissioner T. B. Needles:
Q Do you know whether he ever got the license or not?
A I have always understood so from Lipe.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

W. R. Travis

Subscribed and sworn to before me this 27th day of Febuary, A. D., 1901.

COMMISSIONER.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 27 1901

ACTING CHAIRMAN

D 1202

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 20 1901

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Make doubtful to consult rolls and further consider; judgment stated.

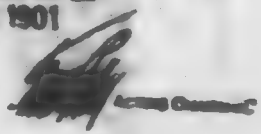
Cherokee D 1202

D120

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 1st 1901



COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Ft Gibson I.T. Sept 11, 1901

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Charles Lewis for enrollment as citizens of the Cherokee Nation.

A. G. Callaway
Atty. for applicant

No. 10202

To be filed in case C. D-1902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 5, 1902.

In the matter of the application of Charles Lavin for enrollment as a citizen of the Cherokee Nation.

—o—

The applicant in this case was notified by registered letter March 1, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, Indian Territory, on the 21st day of March, 1902.

Receipt was acknowledged of the Commission's letter and on said date the case was continued until April 5, 1902. The same being this date to-wit, the 5th day of April, 1902, called, the applicant failed to respond either in person or by attorney and the record is deemed completed and will be reported to the Commission for decision, based upon the evidence of record.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

[signature]

Executive Department, Cherokee Nation.
Tahlequah, Indian Territory

I hereby certify that the Marriage records of this office have been carefully examined and they fail to disclosed any evidence of the marriage of Charles Leven to Eliza Bull or Eliza Fish neither is there any evidence of the marriage of Charles Leven to Jennie Hayes or Jennie Teller, that said record is in this office and in my legal care.

Given under my hand and seal of office on this the 27th., day of June 1902.

J. T. Parker
Executive Secretary.

D1202

DEPARTMENT OF THE ARMY
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 14 1902

Cherokee 3 1902.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., Sept. 15, 1902.

In the matter of the application of Charles Lavin for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Testimony on behalf of applicant.

Applicant appears in person.
No appearance on part of the Cherokee Nation.

CHARLES LAVIN, being sworn, testified as follows.

By the Commission,

Q What is your name? A Charles Lavin.
Q How old are you? A I am fifty-seven. I was fifty-seven the second day of June; no, fifty-eight I meant to say.
Q Where do you live? A About nine miles south of Bartlesville.
Q You claim to be a Cherokee by intermarriage, don't you? A Yes, sir.
Q How often have you been married? A Four times.
Q What is the name of your first wife? A Ann Liza Bell. That was her maiden name, that was my first woman's name.
Q Was she a Cherokee or a white woman? A A Delaware.
Q A Delaware by blood? A Yes, sir.
Q When did you marry her? A In '75, February -- 4th day of February, '75.
Q That was after the Delawares came to the Cherokee Nation?
A Yes, sir. Her maiden name was Liza Fish.
Q Her maiden name? A Liza Fish.
Q How long did you live with her? A Eight years, seven days; then she died. She died with the dropsy.
Q You lived with her until she died? A Yes, sir, I buried her, I can prove that.
Q Who was the next woman you married? A She was a Cherokee. Jane Dalone.
Q That was her maiden name? A Yes, sir, I was her first husband.
Q Was she a Cherokee by blood? A Yes, sir.
Q How long did you live with her? A A little over two years, she died in a family way.
Q You continued to live with her up until the time of her death?
A Yes, sir, I buried her.
Q What was the name of your next wife? A Jennie Hays.
Q Jennie Hays? A Yes, sir.
Q Did you live with her until she died? A Yes, sir, dead and buried.
Q What was her citizenship? A Cherokee by blood.
Q What was the name of your next wife? A She was a widow woman. Her name was Sarah Washington; she had been married before I married her.
Q What was her name when you married her? A Sarah Washington.
Q Was her husband living? A No, sir.
Q What was Sarah Washington? A A Shawnee.
Q Is she living now? A No, sir, she died four years the 12th day of March.
Q Did you live with her until she died? A Yes, sir, and buried her.

Q Did you ever get out a Cherokee marriage license and certificate when you married? A Yes, sir, first time, from Major Lipe.
Q What position was he holding? A Clerk.
Q Coooooooooo District? A Yes, there at Claremore.
Q Then you never took out a license for the other woman? A No, they married me by the old license according to Cherokee law.
Q How much did you pay for that license? A Five dollars.
Q Do you remember any of the men who signed your petition for that license? A J. C. Rogers, Frank Rogers, the one that was killed there a good while ago, that the Delawares killed.
Q Who was the next man? A Bill Rogers and Tyner.
Q How the next man? A Bob Davis.
Q Are any of these men living? A No, sir.
Q All of them dead? A Yes, sir.
Q Who married you under that license? A Charley Rogers; he was district judge at that time, the first time. He's dead. Bill Roger's father. You knew Bill.
Q Do you know when the roll of 1880 was made? A Yes, sir.
Q What wife were you living with? A Liza.
Q Liza Fish? A Yes, sir, and after I married her she went by the name of Liza Lavin.
Q Did you ever go by any name other than Charles Lavin? A No? that's my name.
Q What was the name of your first wife? A Liza.
Q Was her husband dead when you married her? A Yes, sir. He had been dead either six or seven months. That man there knowed it; Mr. Kesler knows it.

GEORGE B. KESLER, being sworn, testified as follows:

By the Commission,

Q What is your name? A George B. Kesler.
Q Where do you live, Mr. Kesler? A At Bartlesville, Cherokee Nation.
Q You are acquainted with the applicant, Charles Lavin? A Yes, sir.
Q How long have you known him? A I have known him since '74.
Q Where has he been residing since that time? A He has been residing about seven or eight miles southeast of Bartlesville.
Q In the Cherokee Nation? A In the Cherokee Nation, about two miles south of Silver Lake.
Q Do you know the name of his first wife? Through whom he claims his right to enrollment? A Liza Bell.
Q Was that her name? A Her husband's name was Samuel Bell; I was well acquainted with him, lived within a quarter of a mile of him.
Q Was she a Cherokee or Delaware? A A Delaware.
Q Do you know if she came with the Delawares when they came to the Cherokee Nation? A Yes, sir, she came as a registered Delaware; but at the time she came to the Cherokee Nation I don't know what her name was at the time she married Bell.
Q After she got here? A After she got down in the Cherokee Nation.
Q What was Bell, a Delaware? A No, sir, he was a white man.

CHARLES LAVIN, being recalled, testified as follows:

By the Commission,

Q What was the name of your Shawnee wife? A Sir?
Q What was the name of your Shawnee wife? A Her name was Sarah.
Q What is her last name? (No answer.)
Q What is her maiden name? A Her maiden name? Let's see, Ann Sarah.
Q Was she a Shawnee? A She was a Shawnee by marriage. She had been married to a Delaware, his name was John Johnnycake.
Q What was her nationality, Indian or white woman? A She was an Indian.
Q She was married to Johnnycake, was she? A Yes, sir, before she married this Washington.
Q Jennie Hays was your last wife? A Third.
Q Now, if I understand you correctly, your first wife's name was Elina? A Yes, sir.
Q She was a Delaware? A Yes, sir.

Attention is here invited to the identity of the applicant's first wife on the supplemental testimony heretofore taken.

Q Your second wife was named Jennie Hays when you married her?
A Jane Paloma.

The applicant's second wife is identified on the authenticated roll of 1880, on page 156, No. 2230, as Jane Paloma. Cooweescoowee District.

Q The third wife was named Jennie Hays when you married her?
A Yes, sir.
Q She had some children, didn't she? A She had Mary Gary I told you about.
Q Mary Gary? A Yes, sir.
Q And she had another child named Thomas Hatton? A Yes, sir.

It appears from the records of the Commission that the applicant's third wife's children, to wit: Mary Gary and Thomas Hatton, have heretofore been listed for enrollment on Cherokee roll card, Field Nos. 8172 and 7175 respectively, and upon an examination of the testimony had in the matter of the application of Thomas Hatton, it appears that his mother was also known as Jennie Morgan, and that the said Thomas Hatton is identified on the roll of 1880 as Thomas Morgan. His mother is identified on said roll , on page 26, No. 940, as Jane Morgan in Canadian District.

Q Did your wife Jennie come from Canadian District? A Yes, sir, she raised up here.
Q Now, your fourth and last wife's name was Sarah, was it?
A Yes, sir.
Q And before you married her she was married to a man named Journeycake?
A Yes, sir.
Q She was part Delaware? A Yes, sir.
Q Part Shawnee? A Yes, sir, and part Stockbridge.

The attention is here invited to the name of Sarah Journeycake. It appears to have been added to the roll of 1880 by the Dawes Commission, and placed on page 134, No. 1078, in Cooweescoowee District.

GEORGE B. KEELER, being recalled, testified as follows:

By the Commission,

Q Mr. Keeler, you knew the applicant's first wife, did you not?
A Yes, sir.
Q Was she recognized as a Delaware by blood? A Yes, sir.
Q Did you ever hear her right to enrollment disputed in any manner?
A I never did.
Q Did you know the applicant's second wife? A I have seen her, was not acquainted with her.
Q Don't know anything about her citizenship? A No, sir.
Q Did you know his thrid wife? A I have seen her at my store, she traded with me.
Q What was her appearance? A That of an Indian, a Cherokee.
Q Was the appearance of his second wife that of an Indian?
A Yes, sir.
Q Did you know his last wife, Sarah? A Yes, sir.
Q Did she have the appearance of an Indian? A Yes, sir.
Q Do you know whether she was recognized as an Indian? A It was always my understanding that she was recognized as an Indian, a member of the Tribe.
Q Have you ever heard it intimated in any way that the applicant, Charles Lavin, lost his right to enrollment as a citizen of the Cherokee Nation by reason of his marriage to a woman who is not a citizen? A No, sir, I never have.
Q Has he generally been recognized in the community as a bona fide citizen by intermarriage? A Yes, sir. His farm joins my farm and has for the last -- ever since he married Mrs. Bell in the spring of '95, our farms have adjoined, and he has had all the privileges of an adopted citizen.
Q Are you pretty well acquainted in Cooweescoowee District? Did you ever know a man by the name of Charlie Levie? A No, sir, I never did.
Q Did you ever hear the applicant called by that name? A No, sir he always went by the name of Charlie Lavin.
Q You don't know anything about his marriage in accordance with Cherokee law to his first wife? A Why, yes, sir, I remember the time Charlie and his wife went to Dog Creek to get married.
Q Do you know whether he was married under a Cherokee license?
A I think he was; that was always my understanding, and I am acquainted with all the parties that signed his petition.
Q He has always resided in your vicinity since you have known him?
A Yes, sir, I don't know of him ever being out of the country, he went up to Coffeyville to trade, and would stay over night, but he always come back.

CHARLES LAVIN, being recalled, testified as follows:

By the Commission,

Q Do you remember when the Guards commissioners came around to you in 1900? A Yes, sir.
Q Did not you tell one of the clerks out there a while ago that they were drunk and put your name down wrong? A No, that was when they made the roll out.
Q How did they put your name down? A They put mine Charlie Lavin

and here Liza Lavin, but they put it on the book wrong.
Q How did they put it on the book, do you remember? A No, I don't remember.

There is identified on the authenticated roll of 1880, on page 130, No. 1684, in Coowescoowee District, one Charley Levie.

Retta Chick, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 11 day of October, 1902.

Notary Public.

Cher
Supp'l to D 1202

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 22, 1902.

In the matter of the application of CHARLES LAVIN, for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation:

CHARLES LAVIN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Charles Lavin.
Q How old are you ? A Fifty eight.
Q What is your post office ? A Bartlesville.
Q Are you a white man ? A Yes sir.
Q Are you claiming your right to be enrolled as a citizen by intermarriage ? A Yes sir.
Q What is your wife's name ? A Elisa Lavin.
Q Is she the wife through whom you are claiming your right to enrollment ? A Yes sir.
Q Is she a Cherokee by blood ? A A Delaware.
Q How long has your wife been living in the Cherokee Nation ?
A She came here with the Delawares when they all came.
Q Has she been living in the Cherokee Nation ever since that time ?
A She is dead. She has been dead quite a while.
Q When were you married to her ? A In 1875.
Q Were you married to her under a Cherokee license ? A Yes sir.
Q How is it that your name is not on the 1880 roll ?
A I will tell you---my name is on the 1880 roll aint it ?
Q Were you living in the Nation in 1880 ? A Yes sir.
Q In what district ? A Coowescoowee.
Q Close to Bartlesville where you are living now ? A Yes sir.
Q Is Elisa your first wife ? A Yes sir.
Q When did she die ? A She died in 1883.
Q Did you live with her from the time you married her up to the time she died ? A Yes sir, I buried her.
Q In the Cherokee Nation all that time, were you ?
A Yes sir, this is the farthest I have ever been away from home.
Q Have you married since Elisa died in 1883 ?
A I have been married three times.
Q When did you marry your second wife ? A In the fall of '83.
Q What was her name ? A Jennie Pelcne.
Q Was she a Cherokee by blood ? A Yes sir.
Q Was that her maiden name ? A Yes sir.
Q How long did you live with her ? A She didn't live but two years, when she died.
Q What was the name of your third wife ? A Jennie Keys.
Q When did you marry Jennie Keys ? A In 1887, I think it was.
Q Was she a Cherokee by blood ? A Yes sir.
Q Was Jennie Keys her maiden name ? A No sir, her maiden name was Jennie Fuller. She came from Canadian District.
Q Do you know if she was living in Canadian District in 1880 ? That would be seven years before you married her ?
A Yes sir, she came there the year before I married her.
Q Came where ? A To Coowescoowee.
Q From Canadian district ? A Yes sir
Q How long did you live with that wife ?
A I lived with her two or three years.
Q When did she die ? A Yes sir
Q How who was your fourth wife ? A Her maiden name was Sarah Coolidge.
Q Was she a Cherokee by blood ? A She was part Delaware and part Shawnee.

Q Was she a Cherokee citizen ? A Yes sir.
Q How long did she live in the Cherokee Nation after you married her ? A She come here at the time when the Delawares come.
Q Did she come with the Delawares ? A Yes sir.
Q And lived in the Cherokee Nation up till she died ?
A Yes sir.
Q When did she die ? A About three years ago, the 11th day of March.
Q You lived with her from the time you married her up till she died, did you ? A Yes sir. No
Q Have you been married since that time ? A Yes sir.
Q You say your third wife was Jennie Hays ? A Yes sir.
Q She had been married before she married you A Yes sir.
Q Was her husband dead when she married you ? A Yes sir.
Q Have you been living in the Cherokee Nation since 1875 ?
A Yes sir.
Q Do you know why your name isn't on any of the rolls Mr. Lavin ?
A I will tell you, my name is on the 1880 roll, and since that you know the Cherokees never made an intermarried roll, since 1883 they have just had names on the roll Cherokee by blood, and wouldn't put white men on the roll.
Q There were some census rolls ? A Well I was sick in bed and couldn't go.
Q Do you mean in 1896 ? A Yes sir.
Q Why were you not on the roll of 1896 ? A That's the year I am talking about, I was sick in bed and couldn't go.
Q All your wives were Cherokee citizen ? A Yes sir.
Q And never were disputed ? A No sir.
Q You married your first wife under a Cherokee license ?
A Yes sir.
Q You have been living in the Cherokee Nation ever since 1875 ?
A Yes sir.
Q You have never lived anywhere else ? A No sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this November 21, 1902.

B. O. Jones
Notary Public.

Cherokee D-1202.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment as Charles Lavin as a citizen by intermarriage of the Cherokee Nation.

" " " " " " " " "

D E C I S I O N.

--:o:--

The record in this case shows that on October 9, 1900, Charles Lavin appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Claremore, Indian Territory, on November 9, 1900, and at Muskogee, Indian Territory, on February 26, 1901, September 15, 1902, and again on October 22, 1902.

The evidence in this case shows that Charles Lavin, a white man, was married in 1875 to one Eliza Bell, nee Fish, an adopted Delaware. She having died in 1883, he married one Jane Palone, a Cherokee citizen. Her death occurred about two years after said marriage, and thereafter he married one Jennie Hayes, a Cherokee citizen. She having died, he was again married to one Sarah Washington, nee Conkepot, a Shawnee. Her death occurred in March, 1899.

Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495) provides for the enrollment of Cherokee citizens "with such intermarried white persons as may be entitled to citizenship under Cherokee laws".

Section 666 of the Compiled Laws of the Cherokee Nation (1892) is as follows:

"Should any man or woman, a citizen of the United States, or of any foreign country, become a citizen of the Cherokee Nation by intermarriage, and be left a widow or widower by the decease of the Cherokee wife or husband, such surviving widow or widower shall continue to enjoy the rights of citizenship, unless he or she shall marry a white man or woman, or person, (as the case may be), having no rights of Cherokee citizenship by blood; in that case, all of his or her rights acquired under the provisions of this act shall cease".

The evidence also shows that the applicant secured rights of Cherokee citizenship through intermarriage with his first wife, Eliza Bell, nee Fish, and that, subsequent to her death, he married Cherokee citizens, as hereinbefore shown.

It is further shown by the evidence that Charles Lavin is identified on the Cherokee Authenticated Tribal Roll of 1880, and that he has lived in the Cherokee Nation continuously from his enrollment thereon, and that he was not married subsequent to the death of his last named wife, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Charles Lavin should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB -2 1903

C. F. B. Cherokee 10112.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 7, 1907.

In the Matter of the Application for the Enrollment of Charles Levin as a Citizen by Intermarriage of the Cherokee Nation.

Applicant appears in person.

APPEARANCES:

Cherokee Nation represented by H. M. Vance, in behalf of W. W. Hastings, Attorney.

Charles Levin being first duly sworn by John B. Tidwell, Notary Public, testified as follows:

ON BEHALF OF COMMISSIONER.

Q What is your name? A Charles Levin.
Q What is your age? A My age is 70.
Q What is your post office address?
A Bartlesville.
Q Are you an applicant for enrollment as a citizen by intermarriage of the Cherokee Nation?
A Yes sir.
Q You have no Cherokee blood?
A No sir.
Q Your only claim to the right to enrollment as a citizen of the Cherokee Nation, is by virtue of your marriage to a citizen by blood?
A Yes sir.
Q What is the name of the citizen through whom you claim the right to enrollment?
A Eliza Fish.
Q Is she living or dead?
A Dead.
Q When did she die?
A In either '83 or '84.
Q When did you marry her?
A 6th day of February in '75.
Q Was she a recognized citizen of the Cherokee Nation at the time you married her?
A Yes sir.
Q Living in the Cherokee country, was she?
A Yes sir; about nine miles below Bartlesville.
Q You were married in the Cherokee Nation?
A Yes sir.
Q Did you comply with the cherokee law?
A Yes sir.
Q You obtained a license then to marry your Cherokee wife?
A Yes sir; from Major Lipe.
Q In what district?
A I don't know in what district Major Lipe lives; he lives close to Claremore.
Q Your license was issued in Coowescoowee District, was it not?
A Yes sir.
Q Down the time of your marriage to your first wife, did you get

she continuously live together as husband and wife until the time of her death?
A Yes sir.
Q Since her death, have you re-married?
A I re-married a Cherokee. Her name was Jane Fullsome.
Q When did you marry your second wife?
A I think it was in '93 or '94. I married her about eight months after my first wife died.
Q Is she living now?
A No; she is dead.
Q When did she die?
A She lived only two years.
Q Did you and she live together as husband and wife from the time of your marriage until her death?
A Yes. I buried her.
Q Did you marry after her death?
A Yes sir.
Q What was your third wife's name?
A Her maiden name was Jennie Fuller,- from Canadian District.
Q Was she a Cherokee?
A Yes sir.
Q Is she living?
A No sir.
Q When did she die?
A She lived about two or three years.
Q Did you and she continuously live together from the time of your marriage until her death?
A Yes sir.
Q Have you married since her death?
A Yes; I married a Delaware again. Her name was Sarah Bunnyet.
Q Was your fourth wife a citizen of the Cherokee Nation?
A Yes sir.
Q Is she living?
A No; she has been dead now about eight years.
Q Did you live with her from the time you married her until the time of her death?
A Yes sir; I buried her and paid all the expenses.
Q When did she die?
A She died about eight years ago.
Q What was her father's name?
A Her father's name was Bainbridge. Her mother was half breed [illegible].
Q What was her mother's name?
A I can't tell you that. I never asked her.
Q Since the death of your fourth wife, have you re-married?
A No sir.
Q But you have lived in the Cherokee Nation all the time?
A Yes sir.
Q Did your residence here continue in the Cherokee Nation since your marriage to your first wife?
A Yes sir.
Q Have you lived there all the time?
A Yes sir; all the time.
Q Mr. [illegible] was issued in Tahlequah District in the year 1896, was he?
A Yes sir.

-2-

V 1

C. F. B. Cherokee Roll.

The applicant, Charles Levin, is identified on the Cherokee Authenticated Tribal Roll of 1880, Coowescoowee District, as No. 1684.

Q Have you any evidence of a documentary character to show your marriage to your first wife?

A No; somebody stole my license after my first wife died. I took all the papers I had and put them in a trunk and wrapped them up in some clothes and locked the trunk. I went out to feed the stock and somebody broke the window and tried to take the trunk out and couldn't do it and he burned it and took everything out of the trunk?

Q He got your marriage license?

A Yes sir.

Q There are no witnesses present who witnessed your marriage?

A No; they are all dead.

Q It would be impossible for you to secure the testimony of people who saw you married?

A Yes sir.

Q You say your license was issued by Lipe?

A By Major Lipe.

Q Coowescoowee District in 1878?

A Yes sir.

Q Is Major Lipe, the man who issued your marriage license, living at this time?

A I guess he is living yet; I haven't been down in there for two or three years.

The undersigned being first duly sworn states that as stenographer to the commission to the Five Civilized Tribes, she correctly reported the testimony taken in this case and that the foregoing is a full, true and correct transcript of her stenographic notes thereof.

Myrtle Hall

Subscribed and sworn to before me this the 6th day of January, 1906.

John E. Fidwell

Notary Public.

E C M

Cherokee 16112.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of CHARLES LAVIN as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N

THE RECORDS OF THIS OFFICE SHOW: That on October 9, 1900 application was received by the Commission to the Five Civilized Tribes for the enrollment of Charles Lavin as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Claremore, Indian Territory, November 9,1900 and at Muskogee,Indian Territory, February 21, 1902, September 15, 1902, October 22, 1902 and January 7, 1907. The records further show that on February 2, 1903 the Commission to the Five Civilized Tribes rendered its decision herein granting said applicant the right to enrollment as a citizen by intermarriage of the Cherokee Nation.

THE EVIDENCE IN THIS CASE SHOWS: That the applicant herein, Charles Lavin, who is identified on the Cherokee authenticated tribal roll of 1880, Coowescoowee District No.1684, is a white man and neither claims nor possesses any right to enrollment as a citizen of the Cherokee Nation other than such right as he may have acquired by virtue of his marriage February 4,1878 to one Hilda Lavin, nee Fish, who is identified on the Delaware Register,Page[illegible], opposite No.[illegible], [illegible] member of the Delaware Tribe of Indians and acquired her right to enrollment as a citizen of the Cherokee Nation by virtue of her compliance with the provisions of the agreement entered into by the Cherokee and Delaware Tribes of Indians April 8, 1867.

In view of the foregoing it is considered that said applicant acquired no right to enrollment as a citizen by intermarriage of the Cherokee Nation by reason of his marriage to the said Hilda Lavin, nee Fish, on February 4, 1878, she was not a citizen of the Cherokee Nation of Cherokee blood.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That the decision rendered by the Commission to the Five Civilized Tribes, February 2, 1903, granting the application for the enrollment of Charles Lavin as a citizen by intermarriage of the Cherokee Nation, be revoked, set aside and held for naught, and that in accordance with the decision of the Supreme Court of the United States dated September 3, 1918 in the cases of Rentie Doe Deck et al. vs. the United States,[illegible] 246, 247 and 248, the said applicant, Charles Lavin is not entitled, under the provisions of Section [illegible] of the Act of Congress approved June 28, 1906 (34 Stats. 495), to enrollment as a citizen by intermarriage of the Cherokee Nation, and his application for enrollment as such is accordingly denied.

Commissioner.

Dated at Muskogee, Indian Territory

this [illegible].

A D1302

COMMISSIONERS
WARREN L. DAVIS.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Cherokee 3-1268

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 1, 1902.

Mr. Charles Levin,

Bartlesville, Indian Territory.

Sir:

You are hereby notified that the application of yourself

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 21, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, as you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

✓

Copy to A. E. Gilbert, Claremore, I.T.

Yours truly,

Secretary.

Commissioner in charge.

Cherokee-B-1902

Muskogee, Indian Territory, June 21, 1902.

Mr. J. T. Parks, Executive Secretary,
Tahlequah, Indian Territory.

Dear Sir:

Please examine the records of your office for evidence of the marriage of Charles Lavin to Eliza Bell or Eliza Fish and for evidence of the marriage of Charles Lavin to Jennie Hayes or Jennie Teller, and if evidence of such marriages be found, transmit to this office certified copies thereof. In the event that no evidence of these marriages or either of them be found make certificate to that effect.

Yours truly,

Commissioner in Charge.

COPY.

Delaware-1202

Muskogee, Indian Territory, July 19, 1902.

Charles Lavine,

Bartlesville, Indian Territory,

Sir:

In the matter of your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation, you are hereby directed to appear before the Commission to the Five Civilized Tribes at its offices in Muskogee, Indian Territory, within fifteen days from date hereof and submit further testimony as to your identification on the Cherokee Roll of 1880.

Very respectfully,

T. B. Needles.

Commissioner in Charge.

Register.

Cherokee D-1202

COPY

Muskogee, Indian Territory, July 19, 1902.

Joe M. LaMay,

Attorney for Charles Lavine,

Claremore, Indian Territory.

Dear Sir:

In the matter of the application of Charles Lavine for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, you are advised that he has been allowed fifteen days in which to appear before the Commission at its offices in Muskogee, Indian Territory, and submit further evidence as to his identification on the Cherokee Roll of 1880.

It appears from the records of the Commission that the applicant was formerly represented by A. M. Calloway, Claremore, Indian Territory, and the Commission is advised that since the death of Mr. Calloway, you have been employed to represent his clients before the Commission.

Very respectfully,

T. B. [illegible]

Commissioner in Charge.

Register.

Cherokee D-1202

Muskogee, Indian Territory, July 31, 1902.

Joe M. LaHay,

Claremore, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of July 28, relative to the time allowedthe applicant in which to furnish certain evidence in the matter of his application for enrollment as a citizen of the Cherokee Nation, of Charles Lavine.

In reply, you are advised that the applicant will be allowed 10 days additional time within which to furnish the evidence called for in the Commission's recent letter.

Yours truly,

Acting Chairman.

COPY

Cherokee D-1203.

Muskogee, Indian Territory, February 2, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting the application of Charles Lavin for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Enc. 2-25.

Acting Chairman.

COPY

Cherokee D-1906.

Muskogee, Indian Territory, February 25, 1905.

J. M. LaHay,
Representing A. M. Calloway,
Attorney for Charles Levin,
Claremore, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1905, granting the application of Charles Levin for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby,

Chairman.

Enc. E-109L
Register.

COPY.

Cherokee D-1252.

Muskogee, Indian territory, February 25, 1903.

Charles Levin,
Bartlesville, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 2, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Enc. K-108.

Register.

Cherokee
16112.

Muskogee, Indian Territory, December 27, 1906.

Charles Lavin,

Bartlesville, Indian Territory.

Dear Sir:

November 6, 1906, the United States Supreme Court held that white persons who intermarried with Cherokee citizens according to Cherokee law prior to November 1, 1875, are entitled to enrollment and allotments of land as citizens of the Cherokee Nation.

You are advised that to properly determine your right to enrollment as a citizen by intermarriage of the Cherokee Nation, it will be necessary for you to appear before the Commissioner for the purpose of giving testimony as to the date of your marriage and whether or not your wife, by reason of your marriage to whom you claim the right to enrollment as a citizen of the Cherokee Nation, was a recognized citizen of the Cherokee Nation at the time of your marriage to her, and whether or not you were married to her in accordance with Cherokee laws.

You are therefore directed to appear before the Commissioner at Muskogee, Indian Territory, at 9 o'clock A. M., on Saturday, January 5, 1907, and give testimony as above indicated.

Respectfully,

cm

Acting Commissioner.

Muskogee, Indian territory, January 23, 1907

Charles Lewin,

Bartlesville, Indian Territory.

Dear Sir:

This office is in receipt of your letter of December 3, 1906, in which you state that you married a Delaware Indian prior to 1875, and ask to be advised as to your rights to enrollment as a citizen by intermarriage of the Cherokee Nation, under the provisions of the recent decision of the Supreme Court.

In reply you are advised that the Supreme Court of the United States by its decision of November 5, 1906, held that white persons who intermarried according to Cherokee law with Cherokees by blood prior to November 1, 1875, are entitled to enrollment, and that those white persons who intermarried with Delawares or Shawnee citizens of the Cherokee Nation either prior or subsequent to November 1, 1875, "have no part or share in the Cherokee

property and are not entitled to participate in the allotment of the lands or in the distribution of the funds of the Cherokee Nation or people and are not entitled to be enrolled for such purpose.

A decision will be rendered in your case at the earliest practicable date, and you will be furnished a copy of the same.

Respectfully,

L M B

Commissioner

Cherokee
10112.

Muskogee, Indian Territory, February 13, 1907.

Charles Lavin,

Bartlesville, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 13, 1907, denying your applicat on for enrollment as a citizen by intermarriage of the Cherokee Nation. Your attorney, S.M.Callaway, Claremore, Indian Territory, has heretofore been furn'shed a copy of the record of proceedings and there has this day been forwarded him a copy of the Commissioner's decision.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of the same.

Respectfully,

Enc.1,MJ.,16.
RJE.

Commissioner.

Register.

Cherokee
10112.

Muskogee, Indian Territory, February 13, 1907.

A. M. Calloway,

Attorney for Charles Lavin,

Claremore, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 13, 1907, denying the application for the enrollment of Charles Lavin as a citizen by intermarriage of the Cherokee Nation. You have heretofore been furnished a copy of the record of proceedings had in the case.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of the same.

Respectfully,

Encl.EC-19.
EVG.

Commissioner.

Cherokee
10112.

Muskogee, Indian Territory, February 13, 1907.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated February 13, 1907, denying the application for the enrollment of Charles Levin, as a citizen by intermarriage of the Cherokee Nation.

The decision, together with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. You will be advised of the Secretary's action as soon as this office is informed of the same.

Respectfully,

Encl.WJ-18.
MJC

Commissioner.

Muskogee, Indian Territory, February 13, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of proceedings had in the matter of the application for the enrollment of Charles Lewis, as a citizen by intermarriage of the Cherokee Nation, together with the decision of the Commissioner to the Five Civilized Tribes, dated February 13, 1907, denying said application.

Respectfully,

Encl. 22-20.
HJC.

Commissioner.

Through the Commissioner of
Indian Affairs.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 28, 1907.

Land
16273-1907.

C O P Y

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Charles Lavin, as a citizen by intermarriage of the Cherokee Nation, including decision of Commissioner Bixby, dated February 13, 1907, adverse to the applicant.

The decision of Commissioner Bixby has been examined, is found to be correct, and its approval is recommended.

Very respectfully,

C.F. Larrabee,

Acting Commissioner.

EMM-LC.

D.C.12636 (COPY) J.P.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

I.T.D. W.H.M.

5384,5386,5484,5546,
5700,5718,5764,5766,
5770,5774,5994,6066,
6068,6116,6284,6680,
6710,6714,6716,6730,
6732,6738,6760,6794,
6800,6818,6780-1907.

March 2, 1907.

L.R.S. DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Cherokee citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are enclosed:

Title of Case.	Date of your letter of transmittal.
John Thomas,	February 2, 1907.
Ezekial J. Dumagan,	February 2, 1907.
Missouri L. Ross,	February 12, 1907.
William C. Patton,	February 6, 1907.
B[illegible]. Armstrong,	February 13, 1907.
Andrew P. Gowan,	February 19, 1907.
John A. Brown,	February 2, 1907.
John H. Riffert,	February 2, 1907.
Jacob R. Darrow,	February 2, 1907.
Samuel L. Jones, (Johnny)	February 2, 1907.
George W. Craig,	February 15, 1907.
Jane N. Byrd,	February 19, 1907.
Elizabeth R. Rogers,	February 12, 1907.
Elmer Shafer, et al.(freedmen),	February 16, 1907.
John Rogers,	February 19, 1907.

Title of Case.	Date of your letter of transmittal.
Olley Maymey Dunaway, et al.,	February 21, 1907.
Willie Martin, et al. (freedmen),	February 21, 1907.
John Ellsworth Lambert,	February 21, 1907.
Stephen F. Wade,	February 21, 1907.
Michael S. Edmondson,	February 23, 1907.
James Brown,	February 21, 1907.
Charles H. Bacon,	February 21, 1907.
Benjamin F. Teague,	February 21, 1907.
George W. Scott,	February 21, 1907.
Walker Johnson (freedman),	February 12, 1907.
Elizabeth Lasley,	February 23, 1907.
Charles Lavin,	February 13, 1907.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

(Signed) Jesse E. Wilson,

Assistant Secretary.

27 enclosures, and
54 enclosures to Ind. Of.,
with carbons hereof.

A P Mc

3-2-07.

Cherokee 1618

COPY

Muskogee, Indian Territory, March 13, 1907.

Charles Lewin,

Bartlesville, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 15, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, March 2, 1907.

Respectfully,

SIGNED Tams B.

Commissioner.

JMK

COPY

Cherokee 18112

Muskogee, Indian Territory, March 12, 1907.

A. M. Galloway,
Attorney for Charles Lavin,
Chelsea, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 15, 1907, rejecting the application for the enrollment of Charles Lavin as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, March 8, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

[illegible]
Commissioner.

Encl. 8-12

Cherokee 15113

COPY

Muskogee, Indian Territory, March 12, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated February 13, 1907, rejecting the application for the enrollment of Charles Levin as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, March 2, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Encl. E-11
JMH

A. M. CALLAWAY,

LAWYER.

ROOMS 2 & 3,
BANK BUILDING.

Claremore, I. T.

Cher 10113

Millie A. Carnes

Trans. from R 27

Cher 10113

#367
R-27

Department of the Interior,
Commission to the Five Civilized Tribes,
Westville, I. T. July, 19th 1900.

In the matter of the application of George W. Carnes et als., for enrollment as Cherokee citizens, said Carnes being sworn by Commissioner Needles, testified as follows-

Q What is your name? A. George W. Carnes.
Q Your age? A. 45.
Q Your post office? A. Kansas, I. T.
Q Where do you reside? A. Goingsnake.
Q How long have you lived there? A. 11 years.
Q Have you lived here continuously? A. Yes sir.
Q Are you a Cherokee by blood? A. Yes sir.
Q You claim Cherokee citizenship? A. Yes .
Q What is the name of your father? A. J. H. Carnes.
Q Is he living? A. No sir.
Q What's the name of your mother? A. Dinah.
Q Is she living? A. Yes.
Q Is her name upon any ofthe rolls of the Cherokee Nation? A. Yes.
Q Is your father's name upon any of the rolls of the Cherokee Nation
A. No sir, I don't reckon it is.
Q Your mother's name is? A. Yes sir.
(George W.Carnes on '96 roll,page 734,number 460 as George Carnes.)
Q Have you ever applied to the Dawes Commission for citizenship before? A. No sir.
Q Are you married? A. Yes.
Q What is your wife's name? A. Milly Ann.
Q What was her name before she was married? A. Richardson.
Q Was she a white woman? A. Yes .
Q When married? A. 27th of January, '77.
On'96 roll,page 890 number 45 as Ann Carnes.
Q Have you a certificate of marriage? A. No sir.
Q Have you got children? A. Yes, Robert Henry Lee,22 years old.
On'96 (?) roll, page 734,number 461 as Henry L.
Q Next? A. George B. 20 years old.
On '96 roll,page 734,number 462.
Q. Next? A. Ida, 18 years old.
On '96 roll, page 734, number 163.
Q Next? A. Cora L.,12 years old.
On'96 roll, page 734,number 464.
Q Next? A. Lizzie L., 10 years old.
On '96 roll, page 734, number 465, as Nora.
Q Next? A. Walter R., 6 years old.
On '96 roll, page 734 number 466
Q Next? A Ada, 2 years old.
Qhave you a certificate of birth for her? A. No sir.
Q What proof have you got of your marriage? Have you a certificate of marriage? A. No sir. I have a letter form the Ordinary stating that he would send it to me.
Q Have you anybody here that knows you are married? A. V.C.Martin.

V. C. MARTIN, being sworn,testified-
Q What is your name? A. V. C. Martin.
Q Your age?
Q Your post office? A. Siloam Springs, Ark.
Q Do you know George W. Carnes? A. Yes.
Q Know his wife? A. Yes.
Q Do you know whether they are married or not? A. I did not see them married-they went off to get married.
Q How long have you known them? A. 25 or 26 years.
Q They have lived together as man and wife during that time?A. Not all of that time; they married before we left Georgia.
Q Have they been living as man and wife since that time and living

CONTINUATION OF APPLICANT'S TESTIMONY:
Q Are these children all alive and living at home with you? A. Yes
Q Are Henry L. and George B. here? A. No sir.
Q Are they unmarried and live at your house? A. Yes.

George W. Carnes presents a duly attested certificate executed by the authorities of the Cherokee Nation under seal, certifying that he and his son, George W. Carne,Henry L. Carnes and George B.Carnes and his daughter Ida A. Carnes were admitted to citizenship in the Cherokee Nation as citizens by blood on the 30th day of May, 1888. Their names appear upon the the roll of '96, duly identified, making proof of having lived in the Cherokee Nation a sufficient length of time to entitle them to citizenship. His children, Cora, Lizzie L., and Walter R., names appear upon the roll of '96, duly identified, and they are admitted to citizenship as Cherokees by blood. His daughter Ada A., having been born since the rolls of '96 were compiled, her name does not appear there. She will be admitted as a citizen by b blood upon filing with this Commission proof of her birth as provided for by the rules of the Commission, and the said George W. Carnes will be required to file with this Commission either the original license and certificate of his marriage,or certified copy thereof,in order to complete his enrollment;and it appearing from the testimony that he was married to his wife, Milly Ann, in he year ~~xxxx~~ 1877, which was previous to him being admitted as a Cherokee by blood, whic h was on the 13th day of May, '88. No proof or t estimony being presented as to his wife ~~wer~~ being admitted to citizenship, her application is hereby rejected, and a copy of this judgment rejecting your wife will be sent to you by mail in the near future, and that, together with the testimony in regard to her case, will be forwarded to the Secretary of the Interior when the rolls of the Cherokee Nation are made and forwarded to him for final approval.

Brown McDonald, being sworn by Commissioner Needles, says as Stenographer to the Commission to the Five Civilized Tribes,he reported in full the testimony of the above named two witnesses, and the foregoing is a full, true and correct transcript of his notes.

Brown McDonald.

Sworn to and subscribed before ,e this 19th day of July,1900 at WEstville, I .T.

T B Needles,

Commissioner

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes,state upon my oath that the above and foregoing is a full, true and correct copy of the original transcript of the testimony in the matter of the application for enrollment of Helen Bearsick, said original transcript having been made by Brown McDonald as stenographer.

Subscribed and sworn to before me this the 14th of January, 1902.

Commissioner.

R 27

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 19 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date July 19— 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

ENROLLMENT REFUSED

Wife's name Mrs. Ann A. Carnes, Kansas St.

District I.T. Year 1896 Page 81 No. 43

ENROLLMENT REFUSED

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

ENROLLMENT REFUSED

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

On 1896 Roll as Ann Carnes

R27

Certified Copy of

MARRIAGE LICENSE

OF

George W. Barnes

AND

M. A. Richardson

Issued January 26th 1904

and Recorded on Page 346 Book

6 of Marriage Licenses.

X E Brewer

Ordinary.

THE FOOTE & DAVIES CO., PRINTERS, ATLANTA.

R. 27

MARRIAGE LICENSE.

STATE OF GEORGIA. COUNTY OF CHEROKEE



TO ANY JUDGE, JUSTICE OF THE PEACE, OR MINISTER OF THE GOSPEL.

You are hereby authorized to join George W. Evans and M. A. Richardson in the Holy State of Matrimony, according to the Constitution and Laws of this State and for so doing this shall be your License. And you are hereby required to return this License to me, with your Certificate hereon of the fact and date of the Marriage.

Given under my hand and seal this 26th day of January, 1877

C. M. McClure (L.S.)
Ordinary.

STATE OF GEORGIA. CERTIFICATE. CHEROKEE COUNTY.

I Certify that George W. Evans and M. A. Richardson were joined in Matrimony by me this 27th day of January, 1877. Recorded June 18th 1877

C. M. McClure
Ordinary

and

W. T. Morris J. I. C. C.

Cherokee R-27.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 21, 1902.

In the matter of the application of Millie A. Carnes for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation; she being sworn and examined by the Commission, testified as follows:

Q What is your name? A Millie A. Carnes.
Q How old are you? A Forty-five.
Q What is your postoffice? A Flint.
Q Are you a white woman? A Yes sir.
Q Are you claiming the right to be enrolled as a Cherokee citizen by intermarriage? A Yes sir.
Q What is your husband's name? A George W. Carnes.
Q Is he a Cherokee by blood? A Yes sir.
Q How long has he been living in the Cherokee Nation? A Thirteen years.
Q Was he an admitted citizen? A Yes sir.
Q When was he admitted to citizenship? A '96 I believe: No, '86.
Q Is he living now? A Yes sir.
Q Has he been living in the Cherokee Nation ever since he was admitted? A Yes sir.
Q When were you married to him? A In '77.
Q Where? A In Georgia.
Q Did you file a certificate of your marriage with the Commission? A Yes sir.
Q Is George W. Carnes your first husband? A Yes sir.
Q Are you his first wife? A Yes sir.
Q Have you been living together ever since you were married? A Yes sir.
Q Never been separated? A No sir.
Q Living together now? A Yes sir.
Q Lived in the Cherokee Nation since '86? A Yes sir.
Q How many children have you? A Seven.
Q Are they all livin? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 21st day of November, 1902.

T. B. Jones
Notary Public.

R M-

G. W. Carnes.

Office COMMISSION ON CITIZENSHIP,
Tahlequah,Ind.Ter., October 5th,1897.

Docket No.		NAMES.	Age.	Sex.	Post Office.	Attorney.
	1	G. W. Carnes	32	Male.	Ophir Ga	
	2	Henry L. Carnes	9	"		
	3	Geo B Carnes	7	"		
928	4	Ida Carnes	5	Female		
	5					
	6				Applicant for	A.E.Ivey
	7				CHEROKEE CITIZENSHIP	
	8					
	9					
	10					
	11				Census Rolls 1851	
	12					
	13	VS.			Ancestor	
	14	CHEROKEE NATION.			Deanah Carnes-	

Now on this the 30th day of May 1898, comes the above case up for final hearing, and the Commission say: "We the Commission "on Citizenship after examining the evidence and the census and pay "rolls of 1851 and 1852, find the above applicants to be Cherokees by "blood, and the said G. W. Carnes and his three children, Henry L., "George B. and Ida Carnes are hereby re-admitted to all the rights and "privileges of Cherokee citizens by blood.

J. T. Adair Chairman Commission.
John B. Gunter Commissioner.
D. W. Lipe Commissioner.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
MUSKOGEE, I. T., NOVEMBER 26, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes, and custodian of the records of the said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me this the 26th day of November, 1902.

Notary Public.

Cherokee R-27.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

—o—

In the matter of the application for the enrollment of Millie A. Carnes as a citizen by intermarriage of the Cherokee Nation.

DECISION.

The record in this case shows that on July 13, 1900, George W. Carnes appeared before the Commission at Westville, Indian Territory, and made application for the enrollment, among others, of his wife, Millie A. Carnes, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 21, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that the said Millie A. Carnes was lawfully married on January 29, 1877, to George W. Carnes, who was re-admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on May 3, 1886.

The Cherokee Supreme Court, in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Benson vs. W. A. Benson, held that a white woman, married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship.

Said Millie A. Carnes is identified on the Cherokee Census Roll of 1896. The evidence further shows that said Millie A. Carnes has lived with her said husband in the Cherokee Nation continuously since his re-admission to citizenship therein, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Millie A. Carnes should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 28 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W. Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B. Watson	165
William H. Ford	173
Thomas N. Wilson	185
Ulne Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	248
John W. Thurman	283
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	398
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A. Patton	679
Benjamin G. Holland	763
William Gordon	798
Maggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F. Carden	861
William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1280
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1380
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Litta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Barr	1612
Thomas E. Benham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Rodington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Lay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Juha Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2330

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Elias Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Judia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4180

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4439
Anderson Keer	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woods	4603
James M McGraw	4604
Annie E Coker	4605
Jennie Long	4606
Juha Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Moore	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigrow L Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John F Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Marion E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rathbeggourd	4991
Ella McCoy	5003
Henry M Love	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Spencer	5140
Winchester Williams	5144
Bessie M Smith	5145
May Humphrey	5207
Jennie Burgess	5235

Nora B Burgess	5236
John E Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H Wells	5261
John T Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5356
Charles Horton	5390
James W Goddard	5417
Dora Cox	5425
Nannie G Alberty	5438
Sallie Ward	5455
William H Sutherlin	5484
Lizzie Hall	5487
Cyrus B Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D Miller	5496
Emberson M Arnold	5498
Stella Henry	5499
William E Oneal	5506
John M Sharp	5509
John L Davis	5514
Sarah E Downing	5518
Samantha C Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W Hallford	5535
Phoebe Coker	5537
Anthony K Douglas	5538
Joseph H Johnson	5541
Harvey O Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R Greer	5576
Rosa M Sicklller	5581
Nancy Inlow	5587
Dassey H Owen	5599
Annie R C Owen	5600
Jesse McKnight	5602
Cicero J Strange	5610
Henry Westenhaver	5611
Emma H Roach	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shimp	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Seigel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Asa W Simerson	5683
William J Kuhn	5686
Elsie Couch	5688
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5701
Dennis W Smith	5702
William H Chesnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5730
Joseph S Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Crafton	5750
Benjamin F Coffee	5756
Frank McSpadden	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Extine	5798
Ida Wyly	5802
Richard L Fite	5815
Edward Lutz	5816
John F Woodworth	5820

Horace H. Huddleston	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enan M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Farley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6699
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Seeds	6751
Laura Fish	6779
Maggie Beecher	6779
Dora A. McDonald	6783
Rosa B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McQuadden	6811
Sarah F. Puthuffer	6824
Clora Trent	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Turner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James R. Deatherage	6901
Lucinda J. Harmess	6953
Frances E. Tebee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hemerick	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7075
Katie E. Bailey	7079
Etta Patrick	7081
Nannie Martin	7089
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Conley	7113
Benjamin Bauer	7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary F Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie E McClure	7171
Benjamin B Graham	7176
Ada Phariss	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James L Goad	7350
Elijah Johnson	7351
Mary E Kimbrough	7360
Jennie Burr	7367
Kinsey Sapsucker	7378
Sarah J Johnson	7394
William I Branan	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Bertha A Allen	7425
Robert J Tyner	7426
Lannie B Martin	7444
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy L Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
William M Wilson	9444
David O Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
John G Ainsworth	9456
Mary J Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P Mulkey	9465
Andrew Brimmer	9467
James F Flippin	9471
William Bird	9473
Mollie C Forbes	9476
William H Thomason	9478
Mollie Devine	9481
Mary P Guthrie	9482
Detlev N Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A Wiltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
Hello Bryant	9542

Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
William Bugher	9577
James M Smith	9582
John E Nazworthy	9583
Beverly L Lafon	9587
Robert L Gentry	9590
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Nate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9636
Annie Sanders	9638
Mack H Martin	9640
Mary Ward	9653
George Givens	9658
Phoney Pourboy	9660
Charley Kiper	9671
Andrew J Sinder	9672
William T Barton	9684
Daniel Crail	9770
Mary M Matte	9771
Leora E Herron	9854
Gaston E Carrick	9855
Rosa B Barger	9857
Rachel Foreman	9858
Serepta C Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E Dry	9878
William G Brown	9879
John B Delay	9881
Pairlee Thompson	9882
Guenther W Werther	9883
Margaret Crittenden	9884
Moses L Morris	9889
Sarah L Rogers	9891
Stephen Duncan	9892
Gideon D Sleeper	9895
William A Maddin	9896
John H Horton	9904
Howe L Rogers	9905
William Rush	9912
George W Edens	9916
William H Hall	9920
Edith B Pheasant	9935
Carrie A Collins	9936
Lucinda Spriggs	9937
Ella F Hail	9939
John W Harris	9949
Hannah Raper	9942
John J Coughran	9945
Youra F Waybourn	9946
Louisa J Taylor	9947
William M Evans	9948
William F Pierce	9940
May F Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M Cox	9964
Jerusha E Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W Fleming	9994
Samuel Holmes	9995
Walter M Talley	9997
Hannah J Miller	9998
Clara V Ward	10002
Stephen W Pittsenberger	10005
Mary E Palmour	10008
William T Partin	10011
Nellie Fields	10013
Sarah A Dawes	10015
Willard E Hutchins	10016
Jesse Talbert	10020
Julia E Setser	10021
Amanda E Howell	10022
Mamie J Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025	Millie A. Carnes	10113
Ida L. White	10026	Lucy E. Richards	10114
Addie B. Miller	10027	Edward H. Fitzgerald	10115
William R. Condry	10028	John T. Pickard	10117
James D. Canary	10029	Charles Rains	10118
John Kelley	10031	Nancy Maxfield	10123
Kate Craig	10033	Anna R. Tuttle	10124
John A. Butts	10034	Richard A. Clark	10126
John J. Dameron	10035	Emma B. Martin	10128
William Warner	10036	Walter L. Hales	10129
George A. Allen	10037	Nellie Brewer	10130
Watie Shetley	10038	William Heffernan	10131
John E. Carter	10039	Levi Ackley	10132
John M. Boyd	10043	Bessie Davis	10133
William Fister	10047	Eva Brackett	10135
Darius B. Troth	10049	Caleba Carnes	10136
Harry A. Kelley	10050	Jackson M. Washburn	10138
Mary E. Purcell	10051	Minnie Shutt	10139
Myron L. Bronson	10052	Charles L. McClure	10140
George W. Taylor	10053	William W. Russell	10141
Josie Lowther	10054	Delia Jenkins	10142
Fannie D. Perry	10055	John A. Hood	10143
Minnie B. Williams	10056	Otis Maxfield	10145
Solomon Copeland	10058	Mary L. Cloud	10146
Etha B. Wood	10059	Callie Inlow	10147
James Pace	10060	Everett M. Lawrence	10148
D Wiley B. McElhaney	10062	Dora E. Hays	10150
Nancy Patrick	10063	Julia M. Schumacher	10151
James R. Stout	10072	Parmelia E. Lemon	10153
George Parker	10073	Charles F. Trachey	10161
Laura Morton	10074	Louisa J. Palmateer	10169
John D. Kelly	10075	George L. Walker	10170
Nettie Swift	10078	Annie Taylor	10171
Maggie Baldridge	10079	Josie Winters Hall	10174
David R. Stubblefield	10080	Alice Nichols	10181
Thomas J. C. Thompson	10081	Lizzie Dye	10182
Cora P. Harlan	10082	Emma Murray	10183
William L. Singleton	10083	Annie Winston	10187
Lester Evans	10084	Marion Evans	10188
Ellen Mayfield	10085	Elizabeth J. McClain	10192
Ella Bray	10087	Ella J. Price	10199
David J. Matthews	10094	Rosie Stull	10200
Thomas Brown	10100	Hannah E. Langley	10201
Houston J. Payne	10103	Alma Keith	10203
Malinda E. Scudder	10104	Flora A. Terrell	10204
Henry Odell	10105	Talmadeora A. Pattenden	10205
Fred Macy	10107	Samuel Shadix	10206
Mary Russell	10108	Mary E. Childers	10207
Thomas B. Brown	10109	Robert M. Hamilton	10208
Samuel L. Milligan	10111	John Billingsley	10209

Nannie Martin		10210	Joseph Reed	D	468
Sarah A. Fields		10214	Adolphus J. Hallum	D	483
Susie Henderson		10216	Alexander Walker	D	490
Charles H. Rienhardt		10218	Albert J. High	D	491
William H. Watkins		10221	America Matoy	D	501
Frank M. Rucker		10222	Moses L. Grazier	D	503
Henry C. Reed		10224	Myrtle Hall	D	509
Laura B. Timberlake		10226	Wallace Thursday	D	544
George A. Brown		10228	Thomas W. Baker	D	546
Drucilla Lowrey		10232	Mattie E. Keys	D	550
Almira Mouse	D	9	William S. Edwards	D	560
Lenora Prather	D	16	Susan L. Reed	D	572
Andrew M. Cooter	D	17	William H. Lyman	D	574
Martin L. Stokes	D	28	Gracia Davis	D	577
Peter Walters	D	44	Edward C. Bolen	D	582
Columbus M. Reeves	D	58	Dora Guthrie	D	585
Sarah Barnes	D	103	Samuel H. Hawkins	D	594
George T. Kiddy	D	108	Lula M. Purcell	D	600
Henry C. Agent	D	139	Ben Estes	D	603
Joseph Phipps	D	147	Thomas M. Reynolds	D	621
Henry Hilton	D	149	Arthur Dodge	D	622
David A. McGlamery	D	161	Carrie L. McNair	D	624
Maggie Doublehead	D	169	Constantine N. Walker	D	641
Annie Lovett	D	180	Joseph Davis	D	648
Nora Hood	D	184	Leander A. Keys	D	650
John A. Johnson	D	232	James J. Barndollar	D	655
Nathaniel G. Simpson	D	242	Nathan J. Brink	D	682
Oncico W. Head	D	244	William S. Miles	D	688
Etta Taylor	D	245	Emma Waybourn	D	698
Susan V. Sullivan	D	262	Dora E. Rogers	D	708
Levi H. Tackett	D	263	James W. Turley	D	709
William H. Connelley	D	264	Lizzie Ward	D	711
Julia A. Sullivan	D	284	Robert J. Holly	D	713
May Fields	D	297	Belle I. Quinton	D	728
Katie Hummingbird	D	308	Francis M. Boothe	D	734
William F. Sager	D	320	Amos W. Lord	D	746
Lovick P. Garrison	D	324	Agnes N. Childers	D	749
Henry Grubb	D	338	John E. Renfrow	D	752
Lucy F. Lacey	D	340	William Coon	D	759
Callie Blevins	D	341	Louis Bruere	D	779
James S. Alfrey	D	355	Georgia A. Waybourn	D	786
Shadrack C. Wallen	D	368	Eliza Fields	D	787
Ada Hall	D	376	William H. Brown	D	788
Jane M. Hicks	D	396	William A. Cox	D	793
Fannie L. Dupree	D	403	Charles A. Robison	D	799
Willis Battles, Jr.	D	404	Artha Williams	D	800
Joshua W. Ellis	D	413	Adam Gearhart	D	806
Nina B. Owen	D	450	Cicero F. Rogers	D	855
John M. Ridenour	D	458	Annie Garrett	D	856
Emery S. Thompson	D	464	George S. Yarborough	D	875

Rhoda A. Saunders	D	878
Maxwell Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brandfield	D	935
James L. Tindle	D	944
Silas G. Remerlein	D	966
Eliza Woolford	D	967
Jasper L. Newton	D	971
John N. Gumm	D	974
Hannah Parson	D	989
Nellie C. Hetherington	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christman	D	1010
George Hazlewood	D	1013
James M. James	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crum	D	1099
Benjamin Strickler	D	1129
Nancy Spannaus	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Jamie Hughes	D	1179
Frances B. Reed	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Lourvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McElwee	D	1235
Nathaniel R. Martin	D	1261
James H. Reagin	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanagan	D	1274
Lazar C. Hollaud	D	1285
Etta Downing	D	1291
William Cavwood	D	1296
Clarence W. Turner	D	1305
Alfred Chaney	D	1313
Stephenson Sweetwater	D	1314
Ella Russell	D	1319
Ella Vann	D	1320
Lannie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cephia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquett	D	2614
Mabel West	D	2618
Opheha West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Colwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2830
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2888
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colwell	D	2999
Charles W. Phillips	D	3000
Sarah Shanks	D	3003
Nettie Young	D	3004
Jerry P. Ables	D	3005
Almedie Ross	D	3002
John S. J. Fowler	D	3005
Leaner Hood	D	3009
James D. Jackson	D	3007
Emma G. Nelson	D	3008
Alice Simco	D	3009
George O. Wallace	D	3010
Fannie Clay	D	3011
Ellen Drew	D	3070

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	494
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	643
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

C.R.27.

Muskogee, Indian Territory, January 27, 1902.

Mr. George W. Carnes,

Kansas, Indian Territory.

Sir:-

When you appeared before this Commission on the 19th day of July, 1900, and applied for the enrollment of your wife as a citizen by intermarria e of the Cherokee Nation, you testified that you were married to her on the 27th day of January, 1877. The testimony discloses that you had a letter from the Ordinary stating that he would send you your certificate of marriage. Has this certificate been sent to you? If not you are requested to procure it or a copy thereof and forward the same immediately to this Commission.

Yours truly,

Acting Chairman.

Register.

COPY.

Cherokee 2-27.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 26, 1903, granting the application of George W. Carnes for the enrollment of his wife, Willie A. Carnes, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. 2-12.

COPY.

Cherokee 2-27.

Muskogee, Indian Territory, February 20, 1903.

George W. Garnes,

Flint, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 22, 1903, granting your application for the enrollment of your wife, Willie A. Garnes, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby

Chairman.

Enc. 2-26.

Register.

Cherokee
10113

Muskogee, Indian Territory, January 10, 1907.

Willie A. Carnes,

Flint, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Incl. Decn. 3

Cherokee
10113.

Muskogee, Indian Territory, March 14, 1907.

Millie A. Carnes,

Flint, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation , was affirmed by the Department January 26, 1907.

Respectfully,

MJC

Commissioner.

Cherokee
8 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.6-208
LMG

Cher 10114

Lucy E. Robards

Trans. from R 366

Cher 10114

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

CLAREMORE, I.T. November 10th, 1900.

IN THE MATTER OF THE APPLICATION OF CHRISTOPHER C. ROBERDS FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND CHILDREN AS CHEROKEE CITIZENS.

The said Christopher C. Roberds, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Christopher C. Roberds.
Q How old are you? A I will be fifty-four in a month or two.
Q What is your post office? A Claremore.
Q What district do you live in? A Coowescoowe.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q What degree of blood do you claim? A About no-eighth, I reckon.
Q Does your name appear upon the authenticated roll of 1880? A No, sir; I am on the roll of 1883. My mother's name is on the roll of 1880.
Q For whom do you apply? A Myself, wife and six children.
Q What is the name of your wife? A Lucy E. Roberds.
Q How old is she? A I guess she is thirty three.
Q What proof have you of your citizenship? A I am on the roll of 1883; I am a recognized citizen, and I have my readmission.
Q What are the names of your children under twenty-one years of age. A Myrtle, born in 1888
Q The next one? A Edna.
Q How old is she? A Born in 1890.
Q Well Abby, born in 1892; she is nine.
Q The next child? A Herbert R. Seven years old; Thos Orve; he was born in 1897, and Erwin, born in 1899. Here are birth certificates for the last two.
Q Is your wife a citizen by blood? A No, sir; she is a citizen by adoption.
Q Have you any certificate of marriage to her? A Yes, sir.

The applicant presents a certificate of marriage certifying that he was married according to the laws of the State of Arkansas to one Lucy E Bennett on the 31st day of January, 1892.

Q Are these children living and living with you at this time? A Yes, sir.

Applicant presents a certificate of admission issued from the Commission on Citizenship at Tahlequah on the 20th day of September, 1900, signed by William T. Rees, Chairman of the Commission on Citizenship, approved and endorsed by J. B. Mayes, Principal Chief, under the great seal of the Cherokee Nation, certifying that one Christopher C. Roberds was admitted to cherokee citizenship on the 20th of September, 1900.

Q Are you the identical Christopher C. Roberds mentioned in this certificate? A Yes, sir.
Q How long have you been living in the Cherokee Nation? A I lived here all my life except from 1866 to 1870.
Q Have you been living here since 1880, continuously, all the time? A Yes, sir.
Q Is Lucy your first wife? A Yes, sir.
Q Are you her first husband? A Yes, sir.
Q Are you living with her now? A Yes, sir.
Q Are these children all living now? A Yes, sir.

1896 Roll, page 246, No. 4144, Cull C. Roberds, Coowescoowee District.

1896 Roll, page 246, No. 4145, Myrtle Roberds, Coowescoowee District.

1896 Roll, page 246, No. 4146, Edna Roberds, Coowescoowee District.

1896 Roll, page 246, No. 4147, Amy Roberds, Coowescoowee District.

1896 Roll, page 246, No. 4148, Herbert Roberds, Coowescoowee District.

Q You have not been married to your wife since your admission?

A No, sir.

The name of Christopher C. Roberds appears upon the census roll of 1896, and he makes satisfactory proof of his admission to citizenship more particularly described in the testimony, and presents proof of marriage to his wife Lucy E. Roberds in 1883, his marriage occurring in the State of Arkansas, six years before he was admitted as a citizen himself, he having been admitted in the year 1889. The names of his children, Myrtle, Edna, Amy, and Herbert are found upon the census roll of 1896, and he makes satisfactory proof of birth as to his two younger children Cree and Travis, whose names do not appear upon the roll of 1896, having been born after the same was compiled. Satisfactory proof being made as to their residence and they being fully identified, said Christopher C. Roberds and his said children as enumerated herein will be duly listed for enrollment as Cherokee citizens by blood.

His wife Lucy E. Roberds, having been married to him in 1883, and not having been remarried since his admission to citizenship, is not entitled to enrollment, and his application for her enrollment will be rejected.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of November A. D. 1900.

Commissioners.

R 366

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 10 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date (Cherokee Nation), 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License (33) Certificate

Wife's name Lucy E. Robards

District Year Page No.

Citizen by blood No Mother's citizenship

Intermarried citizen 1900

Married under what law Date of marriage

License Certificate

Names of Children

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

Cher
Supp'l to R 366

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 15, 1902.

In the matter of the application of LUCY E. ROBARDS, for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation:

LUCY E. ROBARDS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Lucile Robards.
Q What is your age at this time ? A Thirty six.
Q What is your post office address ? A Claremore.
Q Are you an applicant for enrollment as an intermarried citizen ?
A Yes sir.
Q What is your husband's name ? A Christopher C. Robards.
Q When were you married to Mr. Robards?
A Twenty one years ago the 31st day of January.
Q Where were you married ? A Married in Arkansas, in Hartman, Johnson County.
Q Were you ever married prior to your marriage to him ?
A No sir.
Q Was he ever married prior to his marriage to you ?
A No sir.
Q You are his first wife ? A Yes sir.
Q He was your first husband ? A Yes sir.
Q How long after your marriage in Arkansas before you came to the Cherokee Nation ? A We never came here until the year of the Strip payment.
Q In 1894 ? A Yes sir.
Q Was your husband living in Arkansas when you and he were married ? A He was there on business I think. I don't know whether he was permanently living there or not.
Q But after you and he were married you settled in Arkansas ?
A We stayed there, and he worked in the coal mines.
Q You kept house ? A Yes sir.
Q You stayed there until 1894 when the strip payment was made ?
A Yes sir.
Q Mr. Robards was admitted to citizenship after you and he were married ? A Yes sir.
Q In 1889 he was admitted according to this certificate ?
A Yes sir, I guess so.
Q Was 1894 the first time you ever lived in the Cherokee Nation after your marriage ? A Why the year they taken the roll.
Q What was the strip payment roll ? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since then ?
A Only I went back to get my things. This is my home.
Q Has Mr. Robards lived here since 1894 ? A Yes sir.
Q Have you and Mr. Robards lived together all the time since you and he were married up to the present time ? A Yes sir.
Q Never been separated ? A No sir.
Q Living together as husband and wife on the first day of September, 1902 ? A Yes sir.
Q Have you any children ? A Yes sir.
Q How many ? A Six.
Q Are they all living at this time ? A Yes sir.
Q What is true as to your residence is true as to the children, except those born since ? A Yes sir.
Q They have lived with you all the time, have they ?
A Yes sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell.

Subscribed and sworn to before me this November 17, 1902.

B C Jones
Notary Public.

R 366

E. M.

R 366

MARRIAGE LICENSE.

State of Arkansas.

County of Johnson.

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARIAGE

G R E E T I N G:

You are hereby commanded to celebrate the Rite and Publish the Bans of Matrimony Between Mr. C. C. Robards of Hartman in the County of Johnson, and State of Arkansas, aged thirty-five years, and Miss Lucy E. Bennett of Hartman in the County of Johnson and State of Arkansas aged sixteen years, according to Law and do you officially sign and return this license to the parties herein named.

WITNESS my hand and official seal this 30th day of January A. D. 1883.

S E A L.

J. W. Thompson Clerk
by F. S. Pennington D. C.

CERTIFICATE OF MARRIAGE.

State of Arkansas, :
:
County of Johnson. : I, T. L. Durrum, do hereby certify that on the 31st day of January A. D. 1883, I did duly and according to law as commanded in the foregoing license solemnize the rite and publish the banns of Matrimony between the parties therein named.

WITNESS my hand this 31 day of Jan A.D. 1883.

S E A L. T. L. Durrum, Jr.

Note:- This License with the Certificate duly executed and officially signed, must be returned to the office whence it issued, within sixty days from the date of license, under penalty of forfeiture of the Bond.

Certificate of Record.

State of Arkansas,
County of Johnson. I, J. W. Thompson, Clerk of the Circuit Court and exofficio clerk of the County Court, and Recorder of said County, certify that the foregoing license for, and certificate of Marriage of C. C. Robards and Miss Lucy E. Bennett were on the 21 day of February 1883, filed in my office and the same are newduly recorded on page 165 of Book P of Marriage Records.

WITNESS my hand and the seal of said County this 21 day of February 1883.

S E A L.

J. W. Thompson,
Clerk and Recorder.
F. S. Pennington, D. C.

I do hereby certify that the within license and certificate is recorded on Page 160 Book A Record of Marriages. This the 6th day of Oct 1884. W. C. Bruton, Clerk Sequoyah Dist. Ct.

Department of the Interior.

Commission to the Five Civilized Tribes.

Muskogee, I. T. February 1, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Lucy E. Robards, as a citizen of the Cherokee Nation.

T. B. Needles

Commissioner.

C-5279.

CERTIFICATE OF ADMISSION TO CHEROKEE CITIZENSHIP.

Office of Commission on Citizenship,

Tahlequah, Cherokee Nation.

TO ALL WHOM IT MAY CONCERN—GREETING:

This is to certify that the following named, to-wit: C.C.Robards, age forty years, P.O. Coal Hill, Johnson County Arkansas, did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship," make such application to and before said "Commission" on the 29th day of September 1887; that the proof submitted by the above named applicant in support of the said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council and of the amendment thereto, dated February 7th, 1887, and that by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said Act, the above named persons (applicants for citizenship) are, from this the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Article I of the Constitution of the Cherokee Nation upon the terms and conditions set forth in the Act of December 5th, 1888, entitled "An Act Creating a Commission on Citizenship," to-wit:

"That all persons to whom certificates of Citizenship shall be issued by the decree of the Commission created by this Act, shall be required as a condition presedent to the delivery of said certificate to return to, and permanently locate within the limits of the Cherokee Nation, and it shall be further the duty of all such persons to enroll their names, with the names of their families (if any such), at the date of their arrival within the limits of the Nation, in a book to be kept for that purpose in the office of the Principal Chief, and no certificate of citizenship issued by said Commission shall entitle an applicant for admission into the Cherokee Nation for (not) a longer period than one year from its date, who shall fail to become a bona fide citizen within that period."

And this certificate of the said decision of the Commission and re-admission by Council is made and furnished to the said ~~parties~~ persons accordingly.

In Witness Whereof, I hereunto sign my name, as Chairman of the Commission, on this the twenty-fifth day of September 1889

Will P. Rofs,
Chairman Com. on Citizenship.

Attest:
D. S. Williams,
Asst. Clerk Com. on Citizenship.

J. B. Mayes,
Principal Chief C.N.

Henry Kiffert.
Asst. Ex. Secy.

Seal.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T. October 7, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me
this 7th day of October, 1902.

B O Jones
Notary Public.

Cherokee 1-3 C.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lucy E. Edwards as a citizen by intermarriage of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 17, 1896, Christopher C. Edwards appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment, along others, of his wife, Lucy E. Edwards, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902. The other parties to the application are differently classified, and are not affected in this decision.

The evidence shows that Lucy E. Edwards was lawfully married on January 21, 1887, to Christopher C. Edwards, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 7, 1889. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Nelia A. Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

The evidence further shows that Lucy E. Edwards has continuously resided with her said husband since her marriage to him, and since their return to the Cherokee Nation in [illegible] she has resided with [illegible] and continuously [illegible] to the present time.

It is, therefore, the opinion of this Commission that Lucy E. Edwards should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one [illegible] of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[signature]

[illegible]

Commissioner.

[signature]

Commissioner.

[signature]

Commissioner.

Muskogee, Indian Territory,

JAN 28 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A. Edens	62
Adda B. Ward	69
Samuel G. Victor	73
Sarah M. Thomas	109
William B Watson	165
William H Ford	173
Thomas N Wilson	185
Ulsie Ann Smith	206
Susan M. Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	248
John W. Thurman	253
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A Patton	679
Benjamin G Holland	763
Wilham Gordon	798
Meggie Patterson	804
Martha M. Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F Carden	861
William H Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Luev Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bordeau	1644
Florence Headrick	1663
Darsy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1724
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Mahea A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pond	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Seyler	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Lattle	3377
Juha M. A. Rycsell	3386
Andrew J. Smith	3393
William N. Blakmore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles E. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4241
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sadderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Connet	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Steere	4619

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Horace H Hubbard	5832
William R Sutton	5837
Joseph A Lowery	5843
William H H[illegible]	5846
Joseph Lehr	5851
Lum M Young	5854
Mary C Barrows	5859
Matilda Thornton	5861
William W Young	5872
Farley J Ellis	5874
Rosa B Albright	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H Merchant	5889
John D Merchant	5890
Sarah E Crawford	5894
Jerry Young	5899
James H Reese	5906
Mary Hicks	5909
George W West	5922
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James M Jones	5934
Alfred W Shaw	5935
John M Stratton	5940
Waddie Hearse	5947
Robert C Johnson	5948
Mary T Thompson	5951
Edith A Parker	5956
Addie Richards	5959
John A Lowry	5962
John R W Beatie	5963
James T Carroll	5964
Christopher E Jordan	5965
Minerva E Stover	5966
John W Twitley	5967
Joseph W Mounce	5970
Cornelius P Potter	5971
Amanda C Thompson	5972
John M Rusk	5976
Harrison L Hughes	5978
Silas B Jobbins	5983
Lewis M Payne	5985
Nancy Beamer	5988
Sarah E Selvidge	6002
Posy F Brackett	6005
John A Moreland	6010
Alice Welch	6015
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John C DeLozier	6117
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Mary J Tipton	6126
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Peter Hutchins	6186
Eli Parker	6189
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Rose J Grey	6214
John Grubb	6216
William M Costephens	6230
Jane Bean	6232
Lillie L Taylor	6236
Abbie B Adair	6239
Mark C Watkins	6246
Robert W Murray	6261
John G Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W Pyeatt	6300
Isaac A Wilson	6308
John T Hall	6310
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Katie Still	6325
Emmet Carlile	6338
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Fannie Morris	6353
Leonard Lee	6357
James R Miller	6362
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Nora Allen	6371
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Matilda Cookson	6387
William A Fisk	6392
William O Ames	6394
Thomas Wilkerson	6396
Alice C Springston	6407
Fanny N Witt	6413
Lillie M Adair	6424
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Henry J Dawson	6450
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Columbus N Long	6478
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Myrtle Ward	6484
Belle Manus	6490
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Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S Simpson	6549
Almira Ussrey	6560
James McInernay	6561
Fannie Carlile	6578
Sadie A Mayfield	6580
Silas A Bryan	6581
William S Martin	6585
Emma J Thompson	6589
Lydia McDaniel	6593
David W Lamb	6595
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Lois E Daniel	6678
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Lillie B Blackstone	6714
Mary Lillard	6715
James L Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B Barnett	6743
Elizabeth Sanders	6745
William T Neff	6747
William R Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A McDonald	6783
Rosa B Willis	6785
Daniel Hubbard	6787
Mary R Tadpole	6801
Magnus A McSpadden	6811
Sarah F Pathkiller	6824
Clora Twist	6845
Mattie M Welch	6846
Cora Grifin	6850
John S Hyatt	6853
Jefferson K Tyner	6855
Flora R Miller	6859
Lizzie Craig	6872
Jacob C Johnson	6876
George W Ware	6897
James B Featherage	6901
Lucinda F Hartness	6943
Frances E Tebee	6961
James M Burt	6965
Rady Tipton	6973
Laura Hendricks	6976
Laura V Smith	6979
Lorenzo C Darnell	6988
Robert M Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M Robertson	7031
Charles Morris	7043
Minerva J Trent	7051
John H Keith	7078
Katie E Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B Harris	7094
Samuel Brown	7100
William H Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Hamer	7119

James Maher 7128
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Frances B Petty 7191
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Mary S Smith 7322
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Allen L Buckner 7331
James L Goad 7350
Elijah Johnson 7351
Mary E Kimbrough 7360
Jennie Burr 7367
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Wyatte T Brady 7412
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Mary i Hoammgbird 7420
Bertha A Allen 7425
Robert J Tyner 7426
Fannie B Martin 7434
Myrtle Wolfe 7435
Mary Bleyans 7479
Sarah Ketcher 7488
Charles D Englund 7512
May Cochran 7544
Rebecca Oglesby 7549

Robert B Colbie 7556
Nancy L Brown 7579
Mary B Walkingstick 7642
Robert T Kelleam 7653
Mollie Morton 7797
Mattie Girty 8006
Mack Alfred 8015
Ida Harmon 8016
Ida McCoy 8417
Rosie Foreman 8803
Annie Jackson 9034
Margaret T Langley 9092
Ida M Davis 9266
Nora Crapo 9289
Margaret Harmon 9378
Mary B Langley 9438
Ella Gravitt 9439
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Mollie P Mulkey 9465
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James F Flippin 9471
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Mollie C Forbes 9476
William H Thomason 9478
Mollie Devine 9481
Mary P Guthrie 9482
Detlev N Leerskov 9484
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Leona Catcher 9489
Alexander B Clapp 9502
Tenne Sanders 9503
Virgil A Wiltshire 9505
Joshua K Carr 9510
Herbert Kneeland 9518
Hugh E Hope 9519
Thomas J Ritter 9522
Martha Baldridge 9529
James R Poindexter 9535
Maud Foreman 9539
Belle Bryant 9542

Joseph P Smith 9550
George E Watkins 9552
Florence Henry 9553
Jesse H Johnson 9560
Lydia B Barger 9561
Mary Jane Thomas 9562
James F Petty 9563
Laura McCrary 9566
Joel D Smith 9568
William T Cave 9572
William Bugher 9577
James M Smith 9582
John E Nazworthy 9583
Beverly L Lafon 9587
Robert L Gentry 9590
John C Barker 9591
John P Greenwood 9593
Henry Hayes 9596
Ella Cornwell 9598
Asa A Hedrick 9599
William C M Robinson 9600
Woodrow Hadley 9612
William T Gregory 9613
Charles M Keys 9616
Bate O Reed 9618
Joseph E Feland 9623
Florence C Smith 9625
Charles M Cox 9630
Otis S Skidmore 9634
William H Hundley 9635
Thomas A McDonald 9636
Annie Sanders 9638
Mack H Martin 9640
Mary Ward 9653
George Givens 9658
Pheney Poorboy 9660
Charley Kiper 9671
Andrew J Snider 9672
William T Barton 9684
Daniel Crail 9770
Mary M Motte 9771
Leeia E Herrin 9854
Gailen E Carnick 9855
Rosa B Barger 9857
Rachel Foreman 9858
Serepta C Willis 9861
Virgie Seabolt 9864
Annie Cannon 9867
Isabella McCoy 9874
Robert E Dry 9873

William G Brown 9879
John B Delay 9881
Pearlee Thompson 9882
Guenther W Werther 9883
Margaret Crittenden 9884
Moses L Morris 9889
Sarah L Rogers 9891
Stephen Duncan 9892
Gideon D Sleeper 9895
William A Maddin 9896
John H Horton 9904
Howe L Rogers 9905
William Rush 9912
George W Eden 9916
William H Hall 9920
Edith B Pheasant 9935
Carrie A Collins 9936
Lucinda Spriggs 9937
Ella F Hall 9939
John W Harris 9939
Hannah Raper 9942
John J Coughran 9945
Youra i Waydourn 9946
Louisa J Taylor 9947
William M Evans 9948
William F Pierce 9950
May F Chamber 9950
Albert Stevenson 9954
Henry Kiefer 9955
Sarah Bean 9956
Zeno M Cox 9964
Jerusha E Blair 9965
Elias Kyle 9991
Ida Cushman 9992
James W Fleming 9994
Samuel Holmes 9995
Walter H Talley 9997
Hannah J Miller 9998
Clara V Ward 10002
Stephen W Pittenberger 10005
Mary E Palmour 10008
William T Parrin 10011
Nellie Fields 10013
Sarah A Danes 10015
Willard E Hutchins 10016
Jesse Talbert 10020
Julia E Setser 10021
Amanda E Howell 10022
Mamie J Rogers 10023
Nannie Rogers 10024

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Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Ivate Craig	10033
John A. Butts	10034
John J. Patneron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingslea	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
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Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Affrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spanard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphamia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Lannie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Colber	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. L. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Maddox	D	1637
Thomas Redman	D	1661
Katie Still	D	1866
Ira Cromer	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Priscilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willie Barker	D	2696
Claud Barger	D	2697
Jesse Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKensie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simco	D	3059
George O. Wallace	D	3060
Fannie Clay	D	3073
Ellen Drew	D	3079

Lue Fish	D	3081	Della. Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	625
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COPY.

Cherokee R-366.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Christopher C. Roberts for the enrollment of his wife, Lucy R. Roberts, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,
Tams Bixby.
Acting Chairman.

Enc. R-11.

Copy

Cherokee 3-304.

Muskogee, Indian Territory, February 20, 1905.

Christopher C. Roberts,

Claremore,,Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1905, granting your application for the enrollment of your wife, Amy E. Roberts, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. 3-307.

Register.

Cherokee
10114

Muskogee, Indian Territory, January 10, 1907.

Lucy E. Robards,

Claremore, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Incl. Decn. D

C43

Cherokee
16814.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 14, 1907.

Lucy E. Roberts,

Claremore, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Department January 26, 1907.

Respectfully,

KJC

Commissioner.

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Muskogee, Indian Territory, March 9, 1907.

NOTICE IS HEREBY GIVEN that the undersigned, the Commissioner to the Five Civilized Tribes, has been designated by the Secretary of the Interior, as the official to make and approve appraisals of the value of improvements upon land in the Cherokee Nation which were made prior to November 5, 1906, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Tahlequah, Ind. Ter., Monday March 18, 1907, to Saturday March 23rd, 1907, inclusive.

Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for him self had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant or held by him do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the white claimant to sell said improvements under the Act approved March

Nation which were made prior to November 5, 1900, by white persons who intermarried with Cherokee citizens prior to December 16, 1895, and who have the right under the Act of Congress approved March 2, 1907 (Public 180), to sell improvements.

NOTICE IS FURTHER GIVEN that former claimants to citizenship by intermarriage who have made permanent and valuable improvements on lands of the Cherokee Nation and who claim the right to sell the same under and by virtue of said Act of Congress of March 2, 1907 (Public 180), must appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, and designate the land upon which are located the improvements which they claim the right to sell by virtue of said Act; and if any such intermarried citizen shall fail to appear before the Commissioner to the Five Civilized Tribes prior to April 1, 1907, it will be considered that he makes no claim to the benefits conferred by said Act. Such appearance and designation of improvements must be made before the Commissioner at his office in Muskogee, Indian Territory, at any time between Monday, March 11th, 1907, and Saturday, March 30th, 1907, inclusive, or at any of the following named places between the dates named at which places the Commissioner will have a representative to receive said designations and hear testimony relative thereto:

Bartlesville, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Tulsa, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Claremore, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Nowata, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Vinita, Ind. Ter., Monday March 18th, 1907, to Saturday March 23rd, 1907, inclusive.

Pryor Creek, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

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Sallisaw, Ind. Ter., Monday March 25th, 1907, to Saturday March 30th, 1907, inclusive.

Designations must be made in person by the intermarried white claimant, or in case proper proof is made that he is physically unable to appear, by some adult member of his immediate family, or in case proper proof is made of the fact that the intermarried white claimant is physically unable to appear and has no adult member of his immediate family, by a person holding a properly executed power of attorney; provided, that in every case the designation must be made by a party familiar with the character, ownership, location and value of the improvements to be designated. At the time of said designation the testimony of any competent person will be taken by the Commissioner as to the location, character and value of said improvements.

No former intermarried white claimant will be permitted to designate improvements upon more land than he would have been entitled to take in allotment for himself had he been admitted to citizenship. If any intermarried white claimant has made a tentative selection of a full allotment he will not be allowed to designate improvements upon other land.

NOTICE IS FURTHER GIVEN that if any citizen of the Cherokee Nation entitled to select an allotment shall claim that the improvements on land tentatively selected by a former intermarried white claimant, or held by him, do not belong to said intermarried white claimant, or makes any adverse claim to said improvements, or to the right of the intermarried white claimant to sell said improvements under the Act approved March 2, 1907 (Public 180), said citizen must appear before the Commissioner to the Five Civilized Tribes either at Muskogee, Indian Territory, prior to April 1, 1907, or at one of the places above designated and within the dates above designated and make formal complaint before the Commissioner to the Five Civilized Tribes of his contention. At Muskogee, Indian Territory, between March 11th and March 30th, 1907, inclusive, and at the other places herein named during the hearings at said places as herein fixed, plats will be open for inspection showing the location of tentative allotments made by former claimants to citizenship by intermarriage and all other land on which such claimants claim improvements, so far as indicated by the records of this office.

All persons interested should take careful note of the limitation of time herein provided for, within which designations and complaints may be made, and that they must be made by appearance before the Commissioner.

TAMS BIXBY,
Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-100
LMS

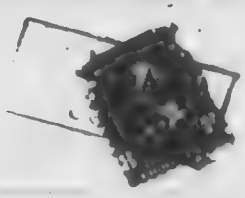
Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Lucy E. Roberts,
Claremore, Indian Territory.

Department of the Interior.
Commissioner to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

MUSKOGEE, IND. TER. REG. DIV.
JAN 23
1917



OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300

Lucy E. Roberts,
Claremore, Indian Territory.

Cher 10115

Edward H. Fitzgerald

Trans. from D144

Cher 10115

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FT. GIBSON, I. T., AUGUST 20th, 1900.

IN THE MATTER OF THE APPLICATION OF Edward Henry Fitzgerald, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your name? A Edward Henry Fitzgerald.
Q What is your age? A I am about fifty years old.
Q What is your Postoffice? A Talala.
Q What is your District? A Cooweescoowee.
Q For whom do you make application for enrollment; yourself?
A Yes sir.
Q Who else; your wife? A Yes sir.
Q Any children? A Yes sir; six.
Q Do you apply as a Cherokee by blood or Irishman? A Irishman.
Q YOU are an intermarried Cherokee? A Yes sir.
Q YOur wife is a Cherokee by blood? A Yes sir.
Q When were you married to your present wife? A Married first about 1878, I expect.
Q UNDER Cherokee law, when did you marry? A About ten years ago.
Q Have you any marriage liscence? A Yes sir.
Q When were you married under the United States law? A I was married under a Squire.
Q Is this (indicating marriage licence just exhibited) the only marriage you ever had? A Yes sir.
Q You were issued a liscence in regular form, were you? A Yes sir the marriage liscence was last; that was four years ago; I guess you gentlemen required - issued an order; Mr. Bixby I think.
Q This is the certificate? A That is a copy of the marriage liscence record in the book; it is copied out of the book.
Q The certificate states that what precedes it is a true and correct copy of the original record found on Page 67, of the Record Book of marriages for the District of Cooweescoowee, for the year 1891, and the certificate and copy are supplied by Joe M. Lahay; the 26th of October, 1896, then Clerk of Cooweescoowee District; Now the record, copied from the record book of marriages has the following statement: "Marriage liscence issued on the 20th of October, 1891 to E. H. Fitzgerald, a citizen of the United States, to marry Catherine Fitzgerald, nee Lacy, a citizen of the Cherokee Nation. A petition signed by the following persons" - then follows a list of the persons, after which is the following: "Marriage solemnized by John F. Allen, Minister of the Gospel, the 31st day of October, 1891; recorded on this 24th day of November, 1891; H. H. Trott, Clerk, Cooweescoowee District, Cherokee Nation." Now Mr. Fitzgerald; this is not exactly in regular form; it states that a marriage liscence was issued to you on the 20th of October, 1891; but what has become of the liscence that was issued to you?
A It was lost.
Q Why was not that liscence, when it was recorded on October 31st, just a few days after your marriage; why was it not spread in full on the records of the District office, as required by law? I do not understand.
Q The usual way of recording marriage liscences is to write in the book everything that is in the ~~same~~ liscence? A The Clerk, I suppose, does that.
Q I expect that is the true state of things; it looks as if he was simply giving you a memorandum of what the books contain; very likely the books contain the whole liscence; Now I want you to apply to the proper authorities and try to get a full copy of the liscence that was issued to you; the same document that you say was lost, the original of which should be in the books? A I was in the office the morning he printed that; and he took it right off of the book.

[illegible] all [illegible] took? A I took it for granted that it was; I do not know.

[illegible] lived in [illegible] ever since [illegible] married in 1891? A I [illegible] ever since [illegible] married in 1891? A [illegible] sir.

[illegible] Fitzgerald, is it? A Yes, sir.

[illegible] old is she? [illegible] Fitzgerald. I [illegible] a little over [illegible].

[illegible] property [illegible] Fitzgerald [illegible]? A I think [illegible] died; [illegible] was old.

[illegible] Fitzgerald [illegible]? A No sir; she was a [illegible].

[illegible] Fitzgerald herself, [illegible]? A Well.

[illegible] lived in the Heroine [illegible] all her life?

A Yes sir, with the exception of about [illegible] years.

When was that? A She was not well and I [illegible] on account of her health.

About when? A Before 1900, I think.

By Mr. [illegible]:

Q [illegible] between [illegible] and 1900?

By the Coroner:

What district did she live in in 1880? A Delaware.

Q [illegible] Lee, was she? A Yes sir.

Q [illegible] was she? A [illegible].

Q [illegible] was she not? A I suppose so.

Q [illegible] Lee, was she not? A No sir.

Q [illegible] would? A Yes sir.

Q [illegible] or dead? A I believe she [illegible]; I never seen her [illegible].

Q [illegible] how long she [illegible] dead? A Yes sir.

Q [illegible] Fitzgerald's [illegible]? A Yes.

Q [illegible] read? A Yes sir.

Q Is she living or dead? A She is dead.

Q [illegible] dead? A More than six years ago; not very [illegible] years ago.

Q [illegible] Heroine Mountain? A Since I [illegible] was about [illegible].

Q [illegible] lived in the Heroine [illegible]? A Since I was about [illegible] or fifty years ago; nearly fifty [illegible].

A [illegible] Edward Fitzgerald.

[illegible] sir.

[illegible] Fitzgerald.

[illegible] sir.

[illegible] Fitzgerald.

[illegible] Fitzgerald.

[illegible] Fitzgerald.

[illegible] Fitzgerald.

...States Law ...erore ...ot were
... Mr, I ... arri d
... arria ... Cherokee Law ...ecame stric'
...arri ...
...r? A Yes sir.
..., proclaim... ...ur-
...? A ...ch ... 1876.
... ever sin...,
... ly ...rrell, as
...
...? A ... sir. ... dre ...read
...
... roll of 189..., Page 191, ...135,
(A ... roll, Dowwescowee District) (On the roll of 189...,
... Fitzgerald, Dowwescowee District)
... roll of 18..., ...e 30, ...349,
(A ... Fitz..., Dowwescowee District)
... ...s Willis Lyal; Lucy)
...
...
(... ..., ...er2, Katie Fitzgerald, Dowwescowee)
(... ..., ...e 156, ...ne, Ellen Fitzgerald, Dowweescowee)
(... ..., ...e 15..., ...ers, Joseph... Fitzgerald, Cooweescowee)
(... ..., 18..., 187..., Polly Fitzgerald, Dowweescowee)
(... ..., 18..., 185..., Willi... ... Fitzgerald, Dowweescowee)
... ...

Of the six children for whom application is now made, Ruby, Minora and Polly are identified on the roll of 1896, and in the Act of readmission, as cited in the testimony, and they will now be enrolled as Cherokee by blood.

[redacted]

Of the two younger children, William Ross and John Henry, they having been born since that Act of Readmission, William Ross Fitzgerald is identified on the roll of 1896, as are all of the foregoing persons, and William Ross Fitzgerald will now be enrolled as a Cherokee by blood. His youngest child, John Henry Fitzgerald is too young to have been put in the Act of Readmission, or upon any roll that has been made of the Cherokee Nation. When this Commission is supplied with a duly authenticated certificate of birth of John Henry Fitzgerald, then this child, also, will be enrolled as a Cherokee by blood.

Now in the matter of the application, made for the Child, Josephine, she is identified on the roll of 1896,; that gives the Commission jurisdiction, but her name is not included in the Act of admission: It is explained by her father that it was through an error, committed by the President of the Cherokee Council. This Commission, however, has no authority to insert names that have been omitted from any cause by the Cherokee authorities, nor to correct any error of this character. Hence, from this, or whatever cause, it may be, Josephine Fitzgerald doesnot appear to be entitled to enrollment at this time, and her application is rejected.

As regards the application of the father of these children, Edward H. Fitzgerald himself, while there is no question as to the former legal status of his children, he is unable to produce an actual license and certificate of his marriage, in accordance with Cherokee law. For the further consideration of the Commission, his application will not be passed upon finally at this time, but will be placed on a doubtful card, and the final decision, when rendered, will be reported to Mr. Fitzgerald, at his Post office address, and it will be forwarded to the Secretary of the Interior, for his final approval .

R. R. Craven, being sworn, states that as stenographer to the Comission to the Five Civilized Tribes, he reported the foregoing case, and that the above and foregoing is a true, full and correct transcript of his stenographic notes in said case.

R R Craven

Sworn to and subscribed before
me this 25th day of August, 1900.

[redacted]

COMMISSIONER.

D 144

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 20 190

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No	Age

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 20 1906

ACTING CHAIRMAN

Marriage License issued on the 26th" day of October 1891 to
.M.Fitzgerald a citizen of the United States to marry Cathrine
Fitzgerald (nee Lacey) a citizen of the Cherokee Nation.

Petition signed by the following persons.
Robert Smith. James Smith. T.O. Linder. L.L.Linder. Lizzie Crum
Wm Campbell. J.C.Lipe. F.L.Darnell. L.B.Cone. W.McCuscrone.

Marriage solemnized by John F.Allen a minister of
the Gospel [illegible] of Oct A.D. 1891.

Recorded on this the 24th" day of November 1891.

L.L.Pratt, Clerk.
Coo-ree-scoo-wee District,
C.N.

Cherokee Nation.I.T.
Coo-ree-scoo-wee District.

This is to certify that the above is
a true and correct copy of the original record found on page
87 of the record book of marriages in and for the District of
Coo-ree-scoo-wee, for the year of 1891.

In witness whereof I hereunto set my hand and
seal of office on this the 26th" day of October.A. .1896.

Jos. M. Lahay Clerk,
Coo-ree-scoo-wee District,C.N.

B. 144.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 19, 1903.

In the matter of the application of Edward H. Fitzgerald for the enrollment of himself as a citizen of the Cherokee Nation.

Applicant present by attorney, A. H. Norwood, Dewey, I. T.
Cherokee Nation represented by W. W. Hastings.

The attorney for the applicant submits this case to the Commission for final consideration, as do the attorneys for the Cherokee Nation.

Commissioner.

Cherokee D 144.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 10, 1902.

In the matter of the application of Edward H. Fitzgerald for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Supplemental Proceedings.

EDWARD H. FITZGERALD, being sworn, testified as follows:

By the Commission,

Q What is your name? A Edward Henry Fitzgerald.
Q What's your posteffice? A Talala.
Q What's your age at this time? A A little over fifty.
Q Are you an applicant before the Commission for enrollment as an intermarried citizen of the Cherokee Nation? A Yes, sir.
Q What is your Cherokee wife's name? A Catherine.
Q Is she living? A Yes, sir.
Q When were you married to your wife, Catherine? A I scarcely remember, you have my license with the Commission. Sometime ago, I think it was '91.
Q '91 or '81? A It was either one or the other, I don't know which.
Q Your license is on file here? A Yes, sir.
Q Were you ever married before you were married to your wife, Catherine? A No, sir.
Q She is your first wife? A Yes, sir.
Q Had she ever been married before you and she were married?
A No, sir.
Q And you are her first husband? A Yes, sir.
Q Have you and your wife, Catherine, lived together as husband and wife from the time of your marriage up until the present time?
A Yes, sir.
Q Still living together? A Yes, sir, still living together.
Q Never separated? A No, sir, never had no trouble.
Q Never married any other woman? A No, sir.
Q You and she living together on the first day of September, 1902?
A Yes, sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to Catherine? A I have been living in the Cherokee Nation ever since '71.
Q You have been living in the Cherokee Nation ever since '71?
A Yes, sir.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 11 day of October, 1902.

T B Jones
Notary Public.

Q [illegible]
A Yes, sir.
Q Have you lived in [illegible] Cherokee Nation all the time since [illegible]
A Yes, sir.
Q Are you living [illegible] Cherokee Nation at [illegible] since 1902?
A Yes, sir.

[illegible] Notary Public, [illegible] Territory, [illegible] Cherokee Nation, [illegible] Commissioner to the Five Civilized Tribes, [illegible] recommend the [illegible] approved in the matter of [illegible] declaration, and [illegible] a true and complete [illegible] manuscript of [illegible]

Subscribed [illegible] December, 1902.

[illegible] Notary Public.

Cherokee D 144.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Edward H. Fitzgerald for enrollment as a citizen by intermarriage of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on August 20, 1900, Edward H. Fitzgerald appeared before the Commission at Fort Gibson, Indian Territory, and made application, among others, for his enrollment as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Edward H. Fitzgerald, a white man, was lawfully married, under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on October 31, 1891, to Catherine Fitzgerald, nee Lacey, a citizen by blood of the Cherokee Nation. The said Edward H. Fitzgerald is identified on the Cherokee Census roll of 1896.

The evidence further shows that the said Edward H. Fitzgerald has resided with his wife in the Cherokee Nation since 1891 up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Edward H. Fitzgerald should be enrolled as a citizen by intermarriage of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this JAN 28 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W Williams	8
Lena Sayers	19
Sarah E. McKay	21
Joseph Herberger	23
Laura Henson	43
William W Barnes	48
Georgia Wood	54
Walter V Edens	62
Anna B. Ward	69
Samuel G. Victor	73
Sarah M Thomas	109
William B. Watson	165
William H Ford	173
Thomas N Wilson	185
Rose Ann Smith	206
Susan M Perry	208
Gertrude Pelone	224
Hugh Willis	229
Mary A Willis	248
John W Thurman	253
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A. Sheffield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
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Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingslea	10209

Minnie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rosebush		10218
William H. Watkins		10221
Frank M. Barber		10222
Henry C. Reed		10224
Laura B. Timberlake		10225
George A. Brown		10228
Drucilla Lowery		10232
Alonzo Moore	D	9
Lenora Panther	D	16
Andrew M. Coster	D	17
Martin L. Stokes	D	23
Peter Walkers	D	44
Columbus M. Reeves	D	59
Sarah Reeves	D	106
George T. Riddy	D	108
Henry C. Agent	D	130
Joseph Phipps	D	137
Henry Milton	D	140
David A. McChesney	D	161
Maggie Douthitthead	D	169
Annie Lovett	D	180
Nora Hood	D	194
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Orozco W. Hood	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	252
Levi H. Tarbert	D	253
William H. Connelley	D	264
John A. Sullivan	D	284
May Fields	D	297
Katie Hemmingford	D	298
William F. Soper	D	320
Lemick P. Coleman	D	334
Henry Grubb	D	336
Lucy F. Lacey	D	340
Callie Bivens	D	341
James S. Silvey	D	355
Shadrack C. Walker	D	359
Ada Hall	D	374
Jane M. Hicks	D	396
Fannie L. Bogue	D	402
Willie Bunker, Jr.	D	406
Joshua W. Ellis	D	413
Nina B. Green	D	450
John M. Robinson	D	452
Henry S. Thompson	D	464
Joseph Reed	D	466
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracie Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Elina Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cleero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878	Ella Vann	D	1230
Manuel Spencer	D	884	Lannie Wofford	D	1230
Benjamin H. Hulbert	D	891	Minnie Downing	D	1232
Mary Brassfield	D	935	Katie Rider	D	1234
James L. Tindle	D	944	Samuel G. Mill-	D	1235
Silas G. Reneckar	D	966	Alfred H. Wood-	D	1242
Eliza Wofford	D	967	Cynthia Whiteskiller	D	1252
Jasper L. Newton	D	971	Susie McSpadden	D	1261
John N. Guinn	D	974	Martha J. Houston	D	1265
Hannah Pareon	D	989	Samuel M. Collier	D	1267
Nellie C. Helterbrand	D	1003	Katy Payne	D	1269
Thomas J. Welch, Jr.	D	1006	Joseph H. Warren	D	1275
Lizzie Christian	D	1010	Mattie Miller	D	1283
George Hazlewood	D	1013	S. F. Moore	D	1284
James M. Jones	D	1022	Addie Schrimsher	D	1288
Reuben A. Evans	D	1032	Fannie Vann	D	1456
Carrie H. Cobb	D	1049	Marcella Blakeney	D	1474
John M. Burns	D	1069	G. W. Williamson	D	1555
Sarah E. Henson	D	1083	C. F. Walker	D	1556
Laura D. Henson	D	1086	Louisa Blevins	D	1567
Hettie E. Downing	D	1090	Frank Cowles	D	1581
Benjamin F. Crain	D	1099	Mary Frances Madding	D	1622
Benjamin Strickler	D	1129	Thomas Rodman	D	1663
Nancy Spaniard	D	1130	Katie Still	D	1666
Annie Wilson	D	1131	Ira Creach	D	1931
Ora H. Maxwell	D	1135	D. A. Mount-	D	1967
Reuben W. Moores	D	1136	J. C. Sefton	D	1992
Cora Childs	D	1146	Jennie Holland	D	2024
Janie Hughes	D	1179	Lou Sanders	D	2236
Francis B. Reid	D	1180	Caroline Barnes	D	2591
Martha Carey	D	1195	Lacey Crane	D	2592
Christina Johnson	D	1199	Daisy Cash	D	2595
Louvenia Ironside	D	1208	Hiram A. Landers	D	2599
Martha J. Henson	D	1218	Charles Neel	D	2602
David A. Martin	D	1228	Mattie Robinson	D	2605
Fred D. McEnery	D	1235	Jennie Rich	D	2606
Nathaniel R. Martin	D	1261	Alexander C. Russell	D	2607
James H. Requa	D	1266	Pricilla Ross	D	2608
Frank Carver	D	1267	Tom W. Reeves	D	2609
Etta B. Payne	D	1270	Mary Smart	D	2612
Mary Garrett	D	1271	Rufus Tidmore	D	2613
Joe W. Goodman	D	1272	Jasper Turquitt	D	2614
Mathew J. Flanigan	D	1274	Mabel West	D	2618
Lizzie C. Holland	D	1285	Ophelia Wes-	D	2619
Etta Downing	D	1291	Cora Whiteaker	D	2620
William Caywood	D	1296	Katy Martin	D	2627
Clarence W. Turner	D	1307	Willis Butler	D	2646
Alfred Chaney	D	1313	Claud Barger	D	2657
Euphemia Sweetwater	D	1314	Dave Conner	D	2658
Etta Russell	D	1319	John Colwell	D	2660

Herbert F. Couch	D	2700	Samuel A. Parkhurst	D	2831
Albert C. Dykes	D	2703	Ellen Rogers	D	2832
Delora Drew	D	2704	Elijah Rolland	D	2837
Frank F. Danderson	D	2705	Endora Steele	D	2838
James Gafford	D	2708	William M. Stucker	D	2839
Anna L. Harlin	D	2715	Sallie Tauuneacie	D	2831
William R. Lipsey	D	2717	Mary Tassle	D	2832
Bertha Landrum	D	2718	John F. Wolf	D	2835
Lila More	D	2722	Ruth A. Ward	D	2840
John D. Mathews	D	2723	Winnie Daugherty	D	2884
Mary McIntosh	D	2725	Mary Guthrie	D	2885
Bertha Nidiffer	D	2730	Lydia Long	D	2886
Richard Nichols	D	2731	Edda Roberts	D	2887
William S. Ross	D	2738	Manda Ward	D	2888
Irene Riley	D	2739	Elmira J. Alberty	D	2905
William H. Rowley	D	2740	Thomas C. Cordray	D	2906
Colombus C. Scroggins	D	2741	Edward Fowler	D	2907
Della Summers	D	2743	Dora Foreman	D	2908
William S. Sage	D	2744	Parker Holt	D	2909
Eliza Thomas	D	2748	John Haston	D	2910
John P. Thurman	D	2749	Georgie Harlin	D	2911
Mary E. Davis	D	2770	Percillia Johnson	D	2913
Jessie Frick	D	2774	Bettie Morton	D	2915
Enna Buffington	D	2788	Samantha Spade	D	2917
Will Black	D	2789	Mariah Ward	D	2918
Maggie E. Davis	D	2792	Ellen Watt	D	2919
Thomas Dotts	D	2793	Nora Morten	D	2920
William Daws	D	2794	Lissie Anderson	D	2981
Nancy Dawson	D	2796	Francis Duval	D	2984
Lena Fields	D	2797	Wade S. Hayes	D	2987
Effie Grayham	D	2798	James A. Hankins	D	2988
Alice C. Hill	D	2799	Joseph Hardee	D	2991
Bertha H. Harlin	D	2800	Tennie Horn	D	2992
Margrett C. Hudson	D	2801	Eveline Hall	D	2993
Joseph A. Kelley	D	2803	John E. Leftwich	D	2995
Andrew O. Kepler	D	2804	Mattie Henson	D	2994
Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shanks	D	3000
John A. McKenzie	D	2808	Nettie Young	D	3000
Ione McGee	D	2809	Jerry P. Ables	D	3048
Ollie Miller	D	2810	Almedie Ross	D	3052
William A. Martin	D	2811	John S. J. Fowler	D	3065
Jesse P. Morrow	D	2812	Leaner Hood	D	3066
Oliver Mason	D	2813	James D. Jackson	D	3067
Edna Whitehead	D	2814	Emma G. Nelson	D	3068
Charley Nuckolls	D	2815	Alice Simeo	D	3069
Etta M. Nidiffer	D	2817	George O. Wallace	D	3069
Louizer Onoowee	D	2818	Fannie Clay	D	3070
William H. Patterson	D	2820	Ellen Drew	D	3070

Lue Fish	D	3061	Della Baldridge	R	106
Horace Gray	D	3062	Samuel Richey	R	107
Lula Pack	D	3063	Malissa Fields	R	144
Lelia C. Harris	D	3064	Fred Zimmerman	R	220
Thomas Jones	D	3066	Ella Anspach	R	241
Benjamin Laws	D	3068	Michael R. Miner	R	286
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	430
Lizzie Pharies	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	494
Sarah E. Davis	D	3176	Rebecca Bengo	R	583
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

_____

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREVARDSON.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 3rd, 1902

Stuart K. Fitzgerald,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 19th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-144.

Yours truly,

Register.

Acting Chairman.

10 D144

COMMISSION TO ... ADDRESS

FILED

FEB 3 1902

ACTING CHAIRMAN

COPY.

Cherokee D-146.

Muskogee, Indian Territory, January 28, 1903.

W. W. Hastings,
Attorney for Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Edward H. Fitzgerald for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. E-6.

COPY.

Cherokee B-144.

Muskogee, Indian Territory, February 20, 1903.

Edward H. Fitzgerald,

Tahlala, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. B-23.

Register.

Cherokee D-144.

Muskogee, Indian Territory, February 20, 1903.

A. H. Norwood,
Attorney for Edward H. Fitzgerald,
Dewey, Indian Territory.

Dear Sir:

There is herewith incloped a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Edward H. Fitzgerald for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Chairman.

Enc. H-24.
Register.

Cherokee
IOIIS

Muskogee, Indian Territory, January 10, 1907.

Edward M. Fitzgerald,

Tulala, Indian Territory.

Dear Sirs

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Inel. Recm. D

Commissioner.

Cherokee
10115.

Muskogee, Indian Territory, March 14, 1907.

Edward M. Fitzgerald,

Talala, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Secretary of the Interior January 26, 1907.

Respectfully,

KJC

Commissioner.

Cherokee
3 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 19, 1907, rejecting the application for the enrollment of James Waters, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-320

Cher 10116

Louisa J. Crane

Trans. from D187

Cher 10116

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FT. GIBSON, I. T., AUG. 25th, 1900.

In the matter of the application of Louisa J. Crane and children, for enrollment as citizens of the Cherokee Nation, and she being sworn by Commissioner, T. B. Brocklinridge, testified as follows:

Q What is your full name? A Louisa J. Crane.
Q How old are you A Will be fifty six, if I live until the 20th of September.
Q What is your Postoffice? A Mc Lain.
Q What is your District? A Canadian.
Q Whom do you want to have put on the rolls? A Myself and two children/
Q Neither of them are over twenty one years old? A No sir.
Q And both of them are unmarried? A Yes sir; at home with me.
Q Do you apply for yourself as a Cherokee by blood? A Yes sir.
Q What proportion of Cherokee blood do you claim? A I can not tell you.
Q How long have you lived in the Cherokee Nation.?
Q Born and raised here.
Q Lived in Canadian District all the time?
A No sir; I have lived in Tahlequah and around.
Q When were you married; what was your name before it was Crane?
A Thompson.
Q Was that your maiden name? A Yes sir.
Q When were you married? A My husband has been dead six years the 17th of August, and I had been married twenty five years when he died.
Q About thirty one years since you married? A Yes sir.
Q What was your husband's name? A ~~Jack Thompson~~ John Crane.
Q Was he a Cherokee or white man? A White man.
Q You say he has been dead about six years? A Yes sir.
Q Give me the name please of your father? A Jack Thompson.
Q Was he a Cherokee or white man? A Cherokee.
Q Is he dead or living? A Dead .
Q How long has he been dead? A Ever since I was three years old.
Q How give me please the name of your mother? A ~~Elizabeth Thompson~~.
Q Was she a Cherokee or white woman? A Cherokee.
Q Is she dead or living ? A She is dead.
Q How long has she been dead? A She has been dead about twenty four years, as well as I can remember.
Q How give me please the names of your children, beginning with the oldest? A Henry B. Crane.
Q How old is that child? A Twenty years old the 9th of last April.
Q He is on the roll of 1880, I suppose? A We registered in Tahlequah.in 1880.
Q Was that child living in 1880, when you registered?
A Yes sir; he was just a baby.
Q What is the name of the next child? A Maud May.
Q How old is that child? A Seventeen years old the 10th of last May.
Q Your husband's name was John Crane? A Yes sir.
Q Did you draw your strip money in 1894? A Yes sir.
(1894 Roll, Page 18, #407, Louisa Crane, Canadian District)
(1896 Roll, Page 13, #360, Louisa J. Crain, Canadian District)
(1896 Roll, Page 13, #360, Henry B. Crain, Canadian District)
(1896 Roll, Page 13, #361, Maud M. Crain, Canadian District)
(1894 Roll, Page 18, #404, Bolivar Crane, Canadian District)
(1894 Roll, Page 18, #409, Maud Crane, Canadian District)
Q Does the V in Henry B. Crane's name stand for Bolivar? A Yes sir.

By Mr. T. B. Hutchings, Cherokee Representative:
Q When did you move to the Choctaw Nation? A I can not tell you; I stayed there -
Tell about when you moved? A I moved there; I did not have any

children then; I lived there ten years and moved back in 1890.
Q Did you live there in 1875? A I can not tell you, for I never thought anything about it.
Q You came here in 1886 and asked Henry Tiffert to have you enrolled? A Yes sir.
Q Did you ever go before the Cherokee Council and ask them to readmit you? A No sir.
Q Did you have anything here? A No sir; I was born and raised here, and we went down there to work.
Q How long did you stay? A Ten years.
By Mr. J. W. Hastings, Cherokee Representative:
Q Where were you married? A Greenleaf.
Q Have you any children? A Yes sir; I have four children.
Q Where were they born? A Three were born in the Choctaw Nation, and one at home here.
Q Where are the children now living? A In Canadian District.
Q When did you come back from the Choctaw Nation to the Cherokee Nation? A After 1880; that Fall.
Q For the ten years immediately before that, you had been living out? A Yes sir.
Q Have you been living here since the Fall of 1880? A Yes sir.
Q In Canadian District? A Yes sir.

By the Commission:
Q When did you move back? A In the Fall; Fall of 1880.
Q You say that you and your family applied to be put on the roll of 1880? A Yes sir; I went to Tahlequah.
Q And they did not put you on the roll? A They taken my name down.
(The roll of 1896 bears a memorandum of the name of this family, to the effect that they are not on the roll, but that they were not objected to by the Committee. It is presumed that what is meant by the word"roll" is the roll of 1880, as that is the roll on which at present their names are not to be found)
Q What proportion of Cherokee blood do you claim?
A About one fourth I reckon. My father and mother were both Cherokees.
Q They both claimed to be Cherokees? A They were Cherokees.
Q Neither you, nor any of your family, have ever been readmitted by the Cherokee Council, have you? A No sir.
You never applied to the Dawes Commission, did you? A No sir.
You have never been regularly admitted? A No sir.

By Cherokee Representative:
"The Cherokee Nation protests through its attorneys against the enrollment of this applicant, for the simple fact that they moved out of the Cherokee Nation and took their effects with them, and lived there ten years, and on their return failed to [redacted] avail themselves of Section 2, of Article 1, of the Constitution of the Cherokee Nation, providing for the Cherokee Council (National Council) to readmit".

By the Commission:
The applicant and her two children are identified on the rolls of 1894 and 1896: None of them are identified on the roll of 1880 : She states that she was living in 1880 and ten years prior to that time in the Choctaw Nation with her family. She further states that application was made to the Cherokee authorities to be enrolled in 1880; that this application included herself and her family living at that time, and that the application was refused. She testifies that she and her family have lived in the Cherokee Nation since the Fall of 1880; and in view of the fact that she was refused enrollment by the Cherokee Authorities in 1880, and the protest now entered by the Cherokee authorities, containing a citiation of the requirements of the Cherokee Constitution; the name of the applicant and her two children will now be placed on a doubtful card for further consideration by the Commission. The final decision of the Commission will be communicated to the applicant at her present Postoffice

address, and it, with all of the testimony now taken, or hereafter submitted by her in support of her claim, or in any way added to the application, will be forwarded to the Secretary of the Interior for his final approval.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Cravens

Subscribed and sworn to before me this 6th day of September, 1900.

COMMISSIONER.

DEPARTMENT OF THE
COMMISSION TO THE RIVER
FILED
SEP 12 1960

R 167

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

AUG 25 1900

ACTING CHAIRMAN

CANADIAN.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date August 20 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

1 Wife's name Susan J. Crane, McLain nee

District Year 1896 Page 13 No. 359

Citizen by blood Yes Mother's citizenship Cher. by Jack Thompson - Cher. by

Intermarried citizen No Parents Elizabeth " - " - "

Married under what law Date of marriage 1869

License Certificate

Names of Children:

2 Henry C. Crane Dist. Year 96 Page 13 No. 360 Age 20

3 Hannah M. " Dist. Year " Page 13 No. 361 Age 17

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

* Dr. F. Crane Susan J. McLain

#2 " " " Henry C. "

#3 " " " Hannah M. "

C. T. D-187 -2-

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., September 10, 1901.

In the matter of the application of Louisa J. Crane et al. for enrollment as Cherokees by blood.

Supplemental testimony on behalf of applicant;

Appearances:
Applicant present in person;
J. L. Baugh, attorney for Cherokee Nation.

R. A. REESE, appearing before the Commission and being duly sworn and examined, testified as follows:

Q What is your name? A R. A. Reese.
Q How old are you? A 59 years old.
Q What is your postoffice address? A Menard
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Are you acquainted with with Louisa J. Crane? A Yes, sir.
Q How long have you known her? A Ever since '80.
Q Has she always lived in the Cherokee Nation? A She has always been recognized as a Cherokee.
Q Has she always lived here? A All her life, but she went out in the Choctaw Nation to work in those coal mines sometime in '80.
Q Do you know how long she remained there? A No, sir, I don't.
Q Has she always been recognized as a citizen of the Cherokee Nation?
A Yes, sir; her mother she is a niece of my wife, my wife is a Cherokee.
Q Did you know her father and mother? A I knew her mother, I didn't know her father.
Q Was her mother a Cherokee? A Yes, sir.
Q Her mother has always been recognized as a citizen? A Yes, sir.
Mr. Baugh: Where did Mrs. Crane marry at, Mr. Reese? A Her present husband Crane, married up here about Menard somewhere.
Q How long did she live in the Nation after she married? A I don't know how long exactly.
Q You know about how long? A No, sir, I don't, she lived right close to me a long time but I don't recollect the date or anything.
Q How long did she live in the ~~Choctaw~~ Choctaw Nation?
A I don't think she lived there long, she wasn't gone long, she moved back to Canadian when I first found out.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 10th of September 1901.

[illegible]
Commissioner.

"R"

Cherokee D 187.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 20,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Louisa J. Crane for the enrollment of herself and children as Cherokee citizens.

Appearances:
Applicant in person;
W.W.Hastings, atterney for the Cherokee Nation.

LOUISA J. CRANE, being first duly sworn, and, being examined testified as follows:
BY COMMISSION:
Q Whatis your name? A Louisa J. Crane.
Q Where do you live, Mrs. Crane? A I live in Canadian.
Q Whatis your post-office address? A McLain.
Q Is there any other statement you desire to make relative to your enrollment as a citizen? A No sir, I have done all.
Q You submit the case to the Commission for final consideration do you? A Yes sir.
BY MR. HASTINGS: I will submit to the Commission.

M.D.Green,being first duly sworn,states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 21,1902.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FT. GIBSON, I. T., AUGUST 25th, 1900.

IN THE MATTER OF THE APPLICATION OF John T. Pickard, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, T. B. Needleman, testified as follows :

Q What is your full name? A John T. Pickard.
Q What is your age? A Thirty three.
Q What is your Postoffice? A McLain.
Q What is your District? A Canadian.
Q Whom do you want to have enrolled; yourself? A Yes sir.
Who else? A My wife and four children.
Q Do you apply for yourself as a Cherokee by blood or adoption?
A By adoption.
Have you a marriage liscence? A Yes sir/
(The applicant presents an official copy of his marriage liscence, showing that he was authorized by the Clerk of Canadian District, in accordance with Cherokee law, on the 16th day of August, 1892, to be married to Mary E. Crane, a citizen of the Cherokee Nation, and that the marriage was consumated by the Reverend C. F. Wilson, on the 17th of August, 1892 . This is filed with his application)
Q Have you and your wife lived together ever since you were married? A With the exception of about a year.
Q When was that year that you did not live together; when did it begin and when did it end, or has it ended; are you living together now? A Yes sir. It was in the Fall of 1893.
And you stayed apart until the Fall of 1894, did you? A Yes sir.
Q Have you been living together ever since 1894? A Yes sir.
Have you lived in the Cherokee Nation ever since you were married in 1892? A Yes sir .
You did not get a divorce, when you separated, did you?
A No sir .
Give me the name of your father? A J. J. Pickard.
He was a white man? A Yes sir.
Is he dead or living? A He is dead.
Give me the name of your mother? A Martha Pickard
She was a white woman? A Yes sir.
Is she dead or living? She is dead.
Now you apply for your wife as a Cherokee by blood?
Yes sir .
Her maiden name was Crane? A Yes sir.
Give me the name of her father? A John Crane .
Was he a Cherokee or white man? A White man.
Is he dead or living? A Dead .
Now long has he been dead? A Ever since 1894 I believe; 1893 or 1894; I do not just remember.
Give me the name of your wifes mother? A Jordan Crane.
Is she a white woman or Cherokee? A Cherokee.
Is she dead or living? She is living.
What is your wifes age? A Twenty five.
Give me the name of your children, and their ages, beginning with the oldest? A William A. Pickard.
How old is he? Eight years old.
Give me the name of the next child? Vanessa J. Pickard.
How old is she? She is seven years old.
Next child? A Robert E. Pickard.
How old is he? Five years old .
Next child? A Lewis C. Pickard.
How old is that child? A Two years old.
These children are all living, are they, at this time?
A Yes sir.
And I [illegible] your wife? A Yes sir.

(1880 Roll, Page 78, Line 5, John T. Pickard, Canadian District)
(1894 Roll, Page 78, Line 46, William Pickard, Canadian District)
(1896 Roll, Page [illegible], Line 47, Vanessa J. Pickard, Canadian District)
(1896 Roll, Page 90, Line 55, [illegible] Pickard, Canadian District)
(1896 Roll, Page 91, Line 219, John T. Pickard, Canadian District)

(1896 Roll, Page 37, [illegible], Willie [illegible]. Pickard, Canadian District)
(1896 Roll, Page 37, [illegible], Narcissa M. Pickard, Canadian District)
(1896 Roll, Page 37, [illegible], Robert T. Pickard, Canadian District)
(Applicant's mother not found on the roll of 1880.)
(Applicant's father not found on the roll of 1880)

Q Your wife's family lived for some years in the Choctaw Nation?
A Yes sir.
Q Before 1880? A Yes sir.
Q And they came from the Choctaw Nation to the Cherokee Nation in 1880, did they not? A Yes sir.
Q And they made application for enrollment to the Cherokee authorities in 1880? A Yes sir.
Q And the authorities declined to put them on the rolls of 1880, did they not? A That is what they tell me.
Q That is your understanding of it? A Yes sir.

By Cherokee Representative:
The Cherokee Representative desire to enter the same protest that they did in the case of Mrs. Louisa Crane, the mother of Mary M. Pickard, and ask that the evidence given by Mrs. Crane be duplicated and referred to in this case. Attention is called to Article 1, Section 2 of the Cherokee Constitution.

By the Commission:
Q The applicant is identified on the roll of 1896, as a Cherokee by adoption, and the marriage license and certificate filed herewith show that he was married in accordance with Cherokee law to his wife, as claimed, on the 17th of August, 1892. His wife is identified on the rolls of 1896 and 1896, and the three children, William [illegible], Narcissa [illegible] and Robert T. are identified on the rolls of 1896. The youngest child, Bessie T. is too young to be on any of the rolls, and the applicant is required to supply the Commission with a duly authenticated certificate of the birth of the youngest child.

In view of the fact that the applicant's wife is not identified on the roll of 1880, although application was made for her enrollment at that time, and it appears that such enrollment was refused by the tribal authorities; and in further view of the protest entered now against the enrollment of this family, by the representatives of the Cherokee Nation; the applicant and his wife and three older children will now be placed on a doubtful card, for further consideration by the Commission. And when a duly authenticated certificate of birth of the youngest child is supplied the Commission, same will be placed on a doubtful card. When the final decision of the Commission is reached, it will be made known and notice to the applicant at his present Postoffice address, and all the testimony in the case will be forwarded to the Secretary of the Interior for his approval, which approval when given will be final in the case.

The undersigned, [illegible], states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in the case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

[illegible]

Subscribed and sworn to before me this [illegible]

[illegible]

[illegible]

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 20, 1903.

In the matter of the application of John T. Pickard for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 4, 1903, that his case would be taken up for final consideration by the Commission on the 20th instant, and that he could on said day appear and introduce any additional testimony affecting his case. He has been called three times and fails to respond either in person or by attorney, and the case is closed.

Cherokee D 188.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 16, 1902.

In the matter of the application of John T. Pickard for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E. Pickard, and his six minor children, William H., Narcissa J., Robert B., Dewey C., Katie E. and Maude M. Pickard, as citizens by blood, of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

JOHN T. PICKARD, being sworn, testified as follows:

By the Commission.

Q What is your name? A J. T. Pickard.
Q John T. Pickard? A Yes, sir.
Q How old are you? A I am thirty-six years old.
Q What is your postoffice? A McLain.
Q You are a white man, are you? A Yes, sir.
Q Are you claiming as a citizen by intermarriage? A Yes, sir.
Q What is the name of the wife through whom you claim your citizenship? A The name of my wife?
Q Yes. A Her name was Crane before I married her.
Q What was her first name? A Mary E.
Q Is she a Cherokee by blood? A Yes, sir.
Q How long has she been living in the Cherokee Nation? A She has been here ever since, I guess, about '80. Her mother went over to the Choctaw Nation and came back about '80.
Q You think your wife has been living in the Cherokee Nation since 1880? A Yes, sir.
Q When were you married to her? A In '92.
Q Were you married under a Cherokee marriage license? A Yes, sir, in 1892.
Q Was Mary E. your first wife? A Yes, sir.
Q Are you her first husband? A Yes, sir.
Q Neither you nor your wife had ever been married before, had you?
A No, sir.
Q Have you been living with your wife ever since you married her?
A With the exception of eight or ten months right after we married.
Q You separated right after your marriage? A Yes, sir.
Q And did not live together for eight or ten months? A Yes, sir.
Q What was the cause of your separation? A I don't know. There was not much cause, she just took a notion she wanted to go home. That was before the second child was born she wanted to go home. She wanted to go home to be confined.
Q And stayed away ten months? A Yes, sir.
Q And she came back to you? A Yes, sir.
Q Been living together ever since? A Yes, sir.
Q Never been separated since that time? A No, sir.
Q Have you made your home in the Cherokee Nation ever since your marriage? A Yes, sir.
Q Never been out anywhere else? A No, sir, I have never went out of the Territory.
Q How many children have you by your wife, Mary? A Six children, five living.
Q What are their names? A William H., Narcissa J., Robert B., Dewey C. and Katie E.; Katie's the one dead.
Q When did she die? A May 8, '01.
Q There are five living, one more dead? What is the name of your

oldest child? A William H.
Q What is the name of your second child? A Narcissa.
Q And your third child? A Robert B.
Q And your fourth child? A Dewey C.
Q Is that your youngest living child? A No, sir. I have one more, it's named Maud. I can't keep up with their names, Maud something, though.
Q When was it born? A It was born last February, I believe; I declare, I had not thought much about it.
Q Born last February, February of this year? A Yes, sir. Maudie May I believe is its name. My recollection is awful bad.
Q Did you ever apply for its enrollment? A Yes, sir. We fetched it here, Maudie May.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 13th day of November, 1902.

B A Jones
Notary Public.

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eldest child? A William [illegible]
Q What is the name of your [illegible] child? A Marchess.
Q And your third child? A [illegible].
Q And your fourth child? A Dewey.
Q Is that your [illegible] child? A No, sir. I have one more, Ida Mae Mead. I can't see it with these glasses, Mama, something, though.
Q When was it born? A It was born last February I believe; I believe, I had not thought [illegible] about it.
Q Born last February? [illegible] A Yes, sir.
Q Did you ever apply for its support? A Yes, sir. We [illegible] Maude May I believe is the name. [illegible] awarded.

Letta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

[illegible]

Subscribed and sworn before me this [illegible] day of [illegible], 1932.

[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FORT GIBSON, IT., AUGUST 31, 1900.

In the matter of the application of Charles Raines for enrollment of himself, wife and children, as citizens of the Cherokee Nation, said Charles Raines being sworn by Commissioner Needles, testified as follows:

Q What is your name? A Charles Raines.
Q Your age? A 30.
Q Your postoffice? A McLean.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, adopted citizen.
Q For whom do you apply for enrollment? A Myself, wife and three children.
Q What district do you live in? A Canadian.
Q How long have you lived there? A About 12 years.
Q Your father and mother non-citizens? A Yes.
Q What is the name of your wife? A Nancy A.
Q What was her name before you married her? A Crain.
Q When were you married? A '93.
Q What is the name of your wife's father? A John Crain.
Q Is he living? A No sir.
Q What is the name of your wife's mother? Louisa J.
Q Is she living? A Yes.
Q What are the names of your children? A Ollie M., 7 years old.
On '96 roll, page 62, number 1683.
Q Next? A John H. 5 years old.
On '96 roll, page, 62, number 1684.
Q Next? A Roy A., 5 months old.

Q Are these children alive and living with you? A yes.
Q Have you any certificate of marriage to Nancy? A I sent for it to Tahlequah, but it hasn't got here yet.
Applicant on '96 roll, page 92, number 237;
Applicant's wife on '96 roll, page 62, number 1682, as Nannie.
On '94 roll, page 84, number 1781, as Nannie Rain.
On '96 roll, page 13, number 359.
Q Why isn't your wife's name on the '80 roll? A She was living in the Choctaw Nation at that time?
Q How long has your wife been living in the Cherokee Nation? A Since '82.
Q Were they readmitted by act of the Council? A I don't know.
Q Have they been living here since '82? A yes.
Q Your wife's mother's name is on the roll of '80? A No sir, they lived in the Choctaw Nation.
Q Is that the reason your wife's name is not upon the '80 roll? A Yes.

The name of Charles Raines appears upon the census roll of '96. He avers that he was married to his wife, Nannie A. Crain, a Cherokee citizen by blood, in the year '93, but presents no certificate of marriage. The name of his wife, Nannie A., is found upon the census roll of '96 as Nannie A. Crain, her maiden name, and upon the pay-roll of '94 as Nancy A. Raines. Upon examination of the authenticated rolls of '80, her name, nor that of her mother is found. The name of her mother, Louisa J. Crain, is also found upon the census roll of '96. The name of her children, Ollie M., and John H. are found upon the census roll of '96, and certificate of birth is presented as to the birth of her youngest child, Roy A. Satisfactory proof as to their residence being made, and they being duly identified according to page and number of the rolls as indicated

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in the testimony, but satisfactory proof not being made as to their citizenship, final judgment as to the application for enrollment of Charles Raines and his wife and children will be suspended, and their names will be placed upon a doubtful card, awaiting proof as to citizenship of Nancy A. Crain, his wife, and as to marriage of himself with his said wife, Nancy. He will be listed upon said card as a Cherokee citizen by intermarriage, and his wife and children as Cherokee citizens by blood.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signature)

Subscribed and sworn to before me this 17th day of September, 1900.

(Signature)

Commissioner.

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Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 21, 1902.

In the matter of the application of Charles Haines for the enrollment of himself, wife and children as citizens of the Cherokee Nation:

The Commission: The applicant was notified by registered letter on February 4, that his case would be taken up for final consideration by the Commission on the 21st day of February, 1902, and that he could on said day appear before the Commission in person or by attorney and an opportunity would be given him to introduce any additional testimony affecting his application.

He was also requested to supply the Commission with evidence of his marriage in accordance with the laws of the Cherokee Nation.

He has been called three times and has failed to respond either in person or by attorney, and the case is closed.

Commissioner.

C. D-240.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Charles Raines for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

Appearances:
W. W. Hastings, attorney for the Cherokee Nation.

The applicant was notified by registered letter February 4, 1902, thathis application for the enrollment of himself, wife and family as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 21st dy of February, 1902. On said date the case was called and there being no appearance, same was deemed completed, and it was ordered reported to the Commission for final decision. The applicant Charles Raines this day, to-wit: the 13th day of March, 1902, appears before the Commission and asks to have the case re-opened, stating that he desires to introduce testimony relative to having procured and been married under a Cherokee license. By agreement with the representative of the Cherokee Nation present the case is reopened, and the testimony to be heard will be made a part of the record.

J. M. COOK, being first duly sworn, and being examined, testified as follows:

BY COMMISSION OF MR. COOK: What is your name? A. J. M. Coon.
Q. How old are you? A. Forty-five.
Q. What is your postoffice address? A. McLain, Indian Territory.
Q. Are you acquainted with the applicant, Charles Raines? A.Yes.
Q. Are you acquainted with his wife, Nanny A. Raines? A.Yes sir.
Q. How long have you known them? A. I have known Charles all his life, since a little boy. Have known her about twelve years.
Q. Are you a Cherokee or a white man? A. White man.
Q. Were you present when they were married? A. Yes sir.
Q. Who married them? A. A man named Davidson.
Q. Is he a minister of the Gospel? A. Yes sir.
Q. Did you see the license? A. I was there when they read it.
Q. Who read it? A. This man Davidson. I was standing there.
Q. What kind of a license was it, by whom issued?
A. I could not tell you, I don't know.
Q. Is it your understanding that they were married under a Cherokee license, or a license issued by a United States Court?
A. I understood it was a Cherokee license.
Q. Would you be able to distinguish the difference between the two?
A. I think I would.
Q. Did you see the petition that this man had, asking to be granted a license by the authorities of the Cherokee Nation when he married his wife? A. I could not say that I did.
Q. Do you know anybody that saw it, any of the signers of the petition? A. No sir, I don't believe I did. Never did know.
Q. When were they married? A. It has been nine years ago or ten
Q. Have you known and seen him continuously since that time?
A. Yes sir, all the time, except that I was gone from this country about two years ago.

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Q. Do you know whether or not he has exercised the rights of a Cherokee citizen since he is married?
A. No sir, I do not.

L. J. CRANE, being first duly sworn, and being examined, testified as follows:

BY COMMISSION OF MR. CRANE: What is your name? A. L. J. Crane.
Q. How old are you? A. Fifty-seven.
Q. Are you acquainted with the applicant in this case, Charles Raines? A. Yes sir, he married my daughter.
Q. What was her name? A. Nancy.
Q. Married at your house?? A. At Mr. Simpson's, a neighbor's.
Q. Were you present when they were married? A. Yes sir.
Q. Did you see the marriage license? A. Yes sir, the preacher read it.
Q. What kind of a marriage license was it? A. It had Cherokee signers.
Q. Where did they get the license? A. Charley Vann.
Q. What was he? A. Cherokee.
Q. Was he Clerk of any District? A. Yes sir
Q. What district? A Canadian.
Q Did you see his petition, the applicant's petition?
A. I saw the license, when we all went to the wedding.
Q. Do you know anybody who signedthe petition asking for this license? Do you know whether he had signers?
A. I don't know.
Q. You know that he had apetition? A. Yes sir, and I know that he was married. I know that he was married in accordance with the license that he had from Charley Vann.

MR? HASTINGS: When was he married.
A. I don't exactly know, but it was in ninety- something, before the Strip payment.
Q Do you think Charley Vann was Clerk at that time?
A. I know he was, because I never think about dates.
Q. You saw thelicense yourself, did you? A. Yes sir.
Q. Was it a long license, or a short one?
A. I didn't pay any attention, I never thought about having to be called up about it.
Q. You never had the license in your own hands? A. No sir.

JOHN T. PICKARD, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A. John T Pickard.
Q. How old are you? A. Thirty-five.
Q. Where do you live? A. Canadian District.
Q. How long have you been living there? A. Ten years.
Q. Do you know Mr Raines, the applicant in this case? A. Yes sir
Q. How long have you known him? A About ten years. Since I have been in the Territory.
Q. Do you know his wife, Nancy A. Raines? A. Yes sir.
Q. Do you know of their being married?
A. I don't know that they were married, I saw them going to the wedding.
Q. You saw them going to the wedding? A. I saw them start out.
Q. You don't know that they were married under a Cherokee license?
A. I suppose they were, that is the talk.
Q. Did you see him when he had his petition out trying to get this license? A. Yes sir, I saw him.

Q. Do you know that he did have out a petition for a license?
A. Yes sir.
Q. You know thatof your own knowledge?
A. I never saw it, but I knew that he did.
Q. Do you know anybody that signed the petition? A. No sir.
Q. You don't know whether thelicense was issued to him? A.No sir.
Q. You knew they were living together continuously since that time?
A. Yes sir.

CHARLES RAINES, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A. Charles Raines.
Q. How old are you? A. Thirty-one.
Q. What is your post office address? A. McLain.
Q. You appliedto this Commission in August, 1900, for the enrollment of yourself, wife and family as citizens of the Cherokee Nation?
A. Yes sir.
Q. When were you married to your wife? A. In 1895.
Q. Were you married under a Cherokee license? A. Yes sir.
Q. Who issued the license to you? A. Charley Vann.
Q. Did you go after it yourself? A. Yes sir.
Q. Who signed your petition? A. John Jordan, and I don't remember who all did sign it. I got some women, Mrs. Bowers, and Mrs. Vann. I don't remember who did sign it. I never paid much attention to it.
Q. You were married under the license issued to you? A. Yes sir.
Q. That license was isued to you by the Clerk of what District?
A. Canadian.
Q. What became of your marriage license and certificate.
A. I guess the preacher kept it.
Q. Were they not returned to you?
A. I let Charley Vann have it, and I asked him if he ever gave receipts to show that he was married, and he said he would return it
Q. Did you cause the records at Tahlequah to be examined?
A. Yes sir, I had two men look.
Q. What did they tell you about it? A. They said they went there, and there was nothing of a marriage licnese there.
Q. You and your wife have lived together continuously sincethe marriage? A. Yes sir.
Q. Were either of you married before? A. No sir.
Q. Living there at the present time? A. Yes sir.
Q. Resided in the Cherokee Nation continuously since that time?
A. Yes sir.
Q. Living there now? A. Yes sir.

MR. HASTINGS: Is Charley Vann living?
A. He is, unless he died lately. I have not seen him for about two years.
Q. You never made an effort to gethim to testify in this matter?
A. He was at Fort Gibson when I went to register and teldhim, and he said it would be all right, but he registered before I did and got away.
Q. How much did you pay him for the license?
A. Ten dollars, I think it was. Twelve and a half, I think.
Q. Did you get a United States license here,A Yes sir.
Q. You had both? A. Yes sir. I got a license here from Nelsen, the Clerk.

BY COMMISSION: Is there any further statement you desire to make relative to your application? A. Not that I know of.
Q. You submit it to the Commission for final decision?
A. That is all I have.
Q. You submit the case, then, to the Commission for final consideration? A. Yes sir.

The applicat and the representative of the Cherokee Nation present submit the case, same is now deemed completed, and will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcipt of the stenographic notes thereof.

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DEPARTMENT OF THE
COMMISSION TO THE FILE ON
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D. 240.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., April 21, 1902.

In the matter of the application of Charles Raines for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

CHARLES RAINES, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Charles Raines.
Q How old are you? A 51.
Q What is your postoffice address? A McLain.
Q What is the name of your wife? A Nancy A.
Q When were you married to her? A '85.
Q Were you married under a Cherokee marriage license? A Yes, sir.
Q Who issued that license to you? A Charley Vann.
Q What official position, if any, was he holding at that time? A He was clerk of Canadian District.
Q What became of that marriage license? A I couldn't tell you.
Q Well what disposition did you make of it? A I turned it over to Mr. Vann.
Q Have you ever endeavored to obtain a certified copy of it? A Yes, sir.
Q Did you secure a copy? A No, sir.
Q Who did you write to about it? A I had Jim Buchanan to write to Tahlequah to--I don't know who he was.
Q What did they tell you? A They said they couldn't find it.
Q Who married you? A Davidson, Preacher Davidson.
Q How long ago was that? A It's been about nine years ago.
Q What are the names of some of the men who signed your petition for a license? A John Jordan signed for one.
Q Anybody else? A It's been so long I can't think of many of them.
Q That the only one you remember, just one signer? A That's all I remember of for certain.

CHARLES VANN, being first duly sworn, testified as follows-

COMMISSION: What is your name? A Charles Vann.
Q How old are you? A 38 I believe.
Q What is your postoffice address? A Webbers Falls.
Q Are you acquainted with Charles Raines, the applicant in this case? A Yes, sir.
Q Are you acquainted with his wife, Nancy A.? A Not very well acquainted; I have seen her.
Q How long have you known this applicant? A Last eight or nine years I suppose, something like that.
Q Do you know when he was married to his wife, Nancy A.? A No, sir, I don't know when he was married.
Q Were you present at the marriage? A No, sir.
Q Do you know whether or not he was married under authority of a Cherokee marriage license? A I issued him the license; that's all I know about that.
Q You remember having issued him the license, do you? A Yes, sir.
Q That was a regular Cherokee license? A Yes, sir.
Q Do you remember who some of his signers were? A No, sir, I don't remember that.

JOHN SIMPSON, being first duly sworn, testified as follows:

COMMISSION: What is your name? A John Simpson.
Q How old are you? A 55 years old.

Q What is your postoffice address? A Nebadn, Indian Territory.
Q Are you acquainted with the applicant in this case, Charles Haines? A Yes, sir.
Q How long have you known him? A I have known him all his life; he is my nephew.
Q Did you know his wife, Nancy A.? A Yes, sir.
Q Do you know whether or not they were married? A Yes, sir.
Q How do you know it? A They was married to each other at my house.
Q Did you see the license under which they were married? A Yes, sir.
Q What kind of a license was it? A Well, I didn't read it; I didn't see them; I saw the preacher looking at them; I didn't examine them myself.
Q Do you know whether it was a Cherokee license? A No, I don't know; I suppose it was.
Q Do you know who issued the license to him of your own knowledge? A No, I don't.
Q You saw them married? A Yes, sir.
Q Been living together as man and wife ever since? A Yes, sir.
Q Have you ever heard this man's right disputed as an intermarried citizen? A No, sir.
Q Has he generally been recognized in the community as an intermarried citizen? A Yes, sir.

Arthur G. Croninger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 24th day of April, 1902.

Notary Public.

Cherokee D-240.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 28, 1908.

In the matter of the application of Charles Rains for the enrollment of himself as a citizen by intermarriage, etc. for the enrollment of his wife, Nancy A. Rains, and children, Ollie M., John H. and Roy A. Rains, as citizens of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Charles Rains.
Q How old are you? A Thirty-two.
Q What is your postoffice address? A Tahlequah.
Q Are you an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A Yes sir.
Q What is your wife's name? A Nannie.
Q Is she a white woman? A Yes sir.
Q A Cherokee by blood? A Yes sir.
Q When were you married to your wife, Nancy Rains? A In 1895.
Q Were you married under a Cherokee license? A Yes sir.
Q Have you filed your license and marriage certificate with the Commission? A No sir, I couldn't find them. I had two men to look for them and they couldn't find them.
Q You have filed your certificate of marriage I have you; if you had proof before the Commission when you applied? A Yes sir, I brought the Clerk that issued the license.
Q Were you ever married before you married your wife, Nancy A.? A No sir.
Q Was she ever married before her marriage to you? A No sir.
Q Have you and she lived together all the time since your marriage up until the present time? A Yes sir.
Q Never separated? A No sir.
Q You and she are living together on the first day of September, 1908, as husband and wife? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to your wife up until the present time? A Yes sir.
Q How long has your wife lived in the Cherokee Nation? A I think they come from the Choctaw Nation up here in '81.
Q Has she lived here ever since '81 up to the present time? A Yes sir.
Q Are these children, Ollie M., John H. and Roy A., your children by your wife, Nancy? A Yes sir.
Q Are they all living at this time? A Yes sir.
Q Have they lived all their lives in the Cherokee Nation? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

B. L. Rothenburger

Subscribed and sworn to before me this 28th day of November, 1908.

B. B. Jones
Notary Public.

E 24

D 188

Canadian District.

Cheroke Nat.

To any legaly authorized person solemnize marriage

Greeting: You are hereby authorized to join in the Holy Bonds of Matrimony and cele rate the rite and ceremonies of marriage betwen Mr. J. T. Pickard, a citizen of the United States and Mis Mary E. Crane a citizen of the Cherokee Nation and you are required to return this license to me for record within thirty days from the celebration of such marriage with a certificate of the same the reto appended and signed by you.

Given under my hand and seal of office this 16th day of August 1892.

Chas. E. Vann, Clk. Can. Dist. C. N.

Marriage Certificate.
Canadian Dist.
Cherokee Nat.

This is to certify that I G. F. Wilson a duly ordained minister of the gospel did on the 17th day of August 1892, solemnize the rite of matrimony by uniting as husband and wife J. T. Pickard and Miss Mary E. Crane.

G. F. Wilson, Minister.

I hereby certify that the above is a true copy and recorded by me this 10th day of Nov.1892.

Chas. E. Vann Clk. Can. Dist. C.N.

I, B. W. Alberty Assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the marriage records of Canadian District Cherokee Nation; a and that said records have placed in the Executive Office of said Nation by law and are in my custody.

Given by me at Tahlequah Cherokee Nation on this the 4th day of August 1900.

S E A L

B. W. Alberty,
Asst. Executive Secretary.
Cherokee Nation.

Department of the Interior.

Commission to the Five Civilized Tribes.
Muskogee, I. T. February 8, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of John T. Pickard.

Commissioner

FILED
1902

D 240

In the Indian Territory,

Northern District.

Personally appeared before me the undersigned Notary Public in and for the aforesaid District. J. W. Davidson of lawful age and known to be a creditable person, who being duly sworn on oath doth say this his residence is Muskogee Indian Territory age 57 years. Occupation farming at present, that he has personally known Chas. L. Rains of McLain Cherokee County Indian Territory for seven (7) years last past, that affiant is also a minister of the Gospel of the Christian Church and as such solemnized the rite of matrimony joining in marriage the said Charles L. Rains to Nancy A. Crane now Nancy A. Rains, that said parties were joined in marriage in Canadian District Cherokee County on the day of --------- A. D. 1893. That the said Chas. L. Rains was a citizen of the U. S. now an adopted citizen of the Cherokee Nation.

J. W. Davidson

Subscribed and sworn to before me this 9th day of October A.D. 1900

S E A L

Z. T. Walrond
Notary Public of Muskogee Ind. Ter.

Department of the Interior.

Commission to the Five Civilized Tribes.
Muskogee, I. T. February 6, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Charles Rains, as a citizen of the Cherokee Nation.

.....
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 23 1902

ACTING CHAIRMAN

Cherokee Dr. 240

Executive Department, Cherokee Nation.
Tahlequah, Ind. Ter.

I hereby certify that I have made examination of the marriage records of this office and they do not show the marriage of Charles Rains and his wife , Nancy Rainsp nee Crain, and I further cerify that I am legal custodian of said records.

This the 15th., day of Sept. 1902.

J. T. Parks.
Executive Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Louisa J. Crane, et al., for enrollment as Cherokee citizens, consolidating the applications of:

Louisa J. Crane et al	D-187
John W. Pickard et al	D-188
Charles Rains et al	D-240

D E C I S I O N.

The record in this case shows that on August 25, 1900, Louisa J. Crane and John W. Pickard appeared before the Commission at Fort Gibson, Indian Territory, and made their respective applications, as follows:

Louisa J. Crane applied for the enrollment of herself and her minor children, Henry T. and Ward M. Crane, as citizens by blood of the Cherokee Nation. John W. Pickard applied for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E. Pickard, and his minor children, William H., Narcissa J., Robert L., and Jewey C. Pickard, as citizens by blood of the Cherokee Nation.

Further proceedings in the matter of these applications were had at Fort Gibson, Indian Territory, on September 10, 1901, and at Muskogee, Indian Territory, on February 20 and October 16, 1902. Birth affidavits were filed, subsequent to the original application, for Katie L. and Bessie V. Pickard.

On August 25, 1900, Charles Rains appeared before the Commission at Fort Gibson, Indian Territory, and made personal application for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary A., and his three minor children, Ollie M., John F. and Tom L. Rains, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 21, March 13, April 11 and October 7, 1902.

The records show that the said Louisa J. Crane was born in the Cherokee Nation, that she is a Cherokee by blood, and that she is identified on the Cherokee per roll of 1894 and the Cherokee census roll of 1896. Henry T. and Ward M. Crane are shown to be the minor children of the said Louisa J. Crane, and they are identified on the 1894 per roll and the 1896 census roll of the Cherokee Nation.

The evidence further shows that John W. Pickard was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on August 17, 1892, to Mary E. Crane, a

Cherokee [illegible], the [illegible] to be the daughter of the said Louisa J. Crane. William H., Narcissa J., Robert B., Dewey C., Katie E. and Maude M. Pickard are shown to be the minor children of the said John T. and Mary E. Pickard.

The evidence further shows that the said John T. Pickard is identified on the Cherokee census roll of 1896; that the said Mary E. Pickard is identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896; and that the said William H. and Narcissa J. Pickard are identified on the 1894 pay roll and the 1896 census roll; that Robert B. Pickard is identified on the Cherokee census roll of 1896, and said Dewey C., Katie E and Maude M. Pickard, are identified by birth affidavits made part of the record herein.

There was filed with this Commission, on October 17, 1902, an affidavit from which it appears that Katie E. Pickard died on May 16, 1901, and said affidavit is made part of the record herein.

The evidence further shows that Charles Rains was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, in the year 1893, to Nancy A. Crane, who is shown to be a Cherokee by blood and the daughter of the said Louisa J. Crane; that said Charles Rains is identified on the Cherokee census roll of 1896; that said Nancy A. Rains is identified on the 1894 pay roll and the 1896 census roll of the Cherokee Nation; that said Ollie M. and John H. Rains are identified on the 1896 census roll of the Cherokee Nation, and the said Roy A. Rains is identified by birth affidavit made part of the record herein.

The evidence further shows that the said Louisa J. Crane, Mary E. Pickard and Nancy A. Rains, have resided in Indian Territory, all their lives, and in the Cherokee Nation since about the year 1880; that the minor children herein applied for have resided in the Cherokee Nation all their lives; that the said John T. Pickard and Charles Rains have lived with their said wives, Mary E. Pickard and Nancy A. Rains, respectively, in the Cherokee Nation continuously since their marriage to them, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Louisa J. Crane, Nancy E. Crane, Maud M. Crane, Mary E. Pickard, William H. Pickard, Narcissa J. Pickard, Robert B. Pickard, Dewey C. Pickard, Maude M. Pickard, Nancy A. Rains, Ollie M. Rains, John H. Rains and Roy A. Rains, should be enrolled as citizens by blood, and that John T. Pickard and Charles Rains should be enrolled as citizens by intermarriage of the Cherokee Nation, in accordance with the provisions of section [illegible] twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered; and it is further ordered that the application for the enrollment of Katie E. Pickard as a citizen of the Cherokee Nation, be, and the same is, hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 30 1903

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, May 31, 1905.

In the matter of the application of Sallie Crain, formerly Jordan, to select an allotment in the Cherokee Nation for her minor children, Joseph L., Jonathan D., Evelina Jordan, whose names appear upon Cherokee citizen roll at Nos. 21395, 6 & 7 respectively, field Card No. 9390.

Sallie Crain, being first duly sworn, testifiecas follows:
Examination by the Commission:

Q What is your name? A Sallie Crain.
Q What is your postoffice address? A McLain.
Q What is your age? A 29.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q What was your maiden name? A Freemon.
Q When were you married to your first husband? A In 1890
Q What was your first husband's name? A Joe Jordan.
Q Was he a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By blood.
Q Is he dead? A Yes sir.
Q When did he die? A Died in '97.
Q Were you living together at the time of his death? AYes sir.
Q What is your present husband's name? A H. D. Crain.
Q Is he a citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q When were you and H. D. Crain married? A 21st of May,1904.
Q Are you living together now? A Yes sir.
Q Have been continuously since that time? A Yes sir.
Q Is your object in appearing before this office today to select an allotment for your minor children, Joseph L., Jonathan D. & Evelina Jordan? A Yes sir.
Q Are they living? A Yes sir.
Q Make their home with you at the present time? A Yes sir.
Q Has anyone ever been appointed guardian for them? A No sir.
Q Did you ever make application to be appointed guardian for them? A No sir.
Q Is the land that you desire to select for them under improvement and in cultivation? A Yes sir.
Q Is it in your possession? A Yes sir.
Q How long has it been in your possession? A Every since my husband died.
Q Does anyone else make any claim to it except you? A No sir.

WITNESS EXCUSED.

Blanch Ashton upon oath states that as stenographer to the Commission to the Five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her stenographic notes thereof.

Blanch Ashton

Sworn and subscribed to before me this 31st day of May, 1905.

W. A. Hamilton

Notary Public.

9110

FILED
MAR 31 1905
COMMISSION TO FIVE TRIBES.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mrs. Louisa J. Crane,

McLain, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 20th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-187

Register.

Acting Chairman.

Cherokee
D-187, D-188 &
D-240.

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Louisa J. Crane for the enrollment of herself and her minor children, Henry B. and Maude M. Crane, as citizens by blood of the Cherokee Nation; granting the application of John T. Pickard for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E., and his minor children, William H., Narcissa J., Robert B., Dewey C. and Maude M. Pickard, as citizens by blood of the Cherokee Nation, and dismissing his application for the enrollment of his minor child, Katie E. Pickard as a citizen of said Nation; and granting the application of Charles Rains for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy A., and his three minor children, Ollie M., John H. and Roy A. Rains, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case.

COPY

a copy of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

James [illegible]

Acting Chairman.

Enc. M-6173

COPY

Cherokee D-187.

Muskogee, Indian Territory, February 20, 1903.

Louisa J. Crane,

McLain, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself and your two minor children, Henry B. and Maud M. Crane, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. H-7.

Register.

Cher 10117

John T. Pickard

Trans. from D188

Cher 10117

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FT. GIBSON, I. T., AUGUST 25th, 1900.

IN THE MATTER OF THE APPLICATION OF John T. Pickard, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A John T. Pickard.
Q What is your age? A Thirty three.
Q What is your Postoffice? A McLain.
Q What is your District? A Canadian.
Q Whom do you want to have enrolled; yourself? A Yes sir.
Q Who else? A My wife and four children.
Q Do you apply for yourself as a Cherokee by blood or adoption?
A By adoption.
Q Have you a marriage liscence? A Yes sir/
(The applicant presents an official copy of his marriage liscence, showing that he was authorized by the Clerk of Canadian District, in accordance with Cherokee law, on the 16th day of August, 1892, to be married to Mary E. Crane, a citizen of the Cherokee Nation, and that the marriage was consumated by the Reverend G. F. Wilson, on the 17th of August, 1892. This is filed with his application)
Q Have you and your wife lived together ever since you were married? A With the exception of about a year.
Q When was that year that you did not live together; when did it begin and when did it end, or has it ended; are you living together now? A Yes sir. It was in the Fall of 1893.
Q And you stayed apart until the Fall of 1894, did you? A Yes sir.
Q Have you been living together ever since 1894? A Yes sir.
Q Have you lived in the Cherokee Nation ever since you were married in 1892? A Yes sir.
Q You did not get a divorce, when you separated, did you?
A No sir.
Q Give me the name of your father? A J. J. Pickard.
Q He was a white man? A Yes sir.
Q Is he dead or living? A He is dead.
Q Give me the name of your mother? A Martha Pickard
Q She was a white woman? A Yes sir.
Q Is she dead or living? She is dead.
Q Now you apply for your wife as a Cherokee by blood?
A Yes sir.
Q Her maiden name was Crane? A Yes sir.
Q Give me the name of her father? A John Crane.
Q Was he a Cherokee or white man? A White man.
Q Is he dead or living? A Dead.
Q How long has he been dead? A Ever since 1894 I believe; 1893 or 1894; I do not just remember.
Q Give me the name of your wifes mother? A Louisa Crane.
Q Is she a white woman or Cherokee? A Cherokee.
Q Is she dead or living? A She is living.
Q What is your wifes age? A Twenty five.
Q Give me the names of your children, and their ages, beginning with the oldest? A William K. Pickard.
Q How old is he? A Eight years old.
Q Give me the name of the next child? A Narcissa J. Pickard.
Q How old is she? A She is seven years old.
Q Next child? A Robert E. Pickard.
Q How old is he? A Five years old.
Q Next child? A Dessie E. Pickard.
Q How old is that child? A Two years old.
Q These children are all living, are they, at this time?
A Yes sir.
Q All living with you and your wife? A Yes sir.

1900 Roll, Page 78, #648, Mary E. Pickard, Canadian District)
1900 Roll, Page 78, #646, William Pickard, Canadian District)
1900 Roll, Page 78, #647, Narcis J. Pickard, Canadian District)
1900 Roll, Page [illegible], #[illegible], Mary R. Pickard, Canadian District)
1900 Roll, Page [illegible], #[illegible], John T. Pickard, Canadian District)

(1896 Roll, Page 57, #1556, William B. Pickard, Canadian District)
(1896 Roll, Page 57, #1557, Narcissa J. Pickard, Canadian District)
(1896 Roll, Page 57, #1558, Robert B. Pickard, Canadian District)
(Applicant's mother not found on the roll of 1880.)
(Applicant's father not found on the roll of 1880)

Q Your wifes family lived for some years in the Choctaw Nation?
A Yes sir.
Q Before 1880? A Yes sir.
Q And they came from the Choctaw Nation to the Cherokee Nation in 1880, did they not? A Yes sir.
Q And they made application for enrollment to the Cherokee authorities in 1880? A Yes sir.
Q And the authorities declined to put them on the rolls of 1880, did they not? A That is what they tell me.
Q That is your understanding of it? A Yes sir.

By Cherokee Representative:
The Cherokee Representatives desire to enter the same protest that they did in the case of Mrs. Louisa Crane, the mother of Mary E. Pickard, and ask that the evidence given by Mrs. Crane be duplicated and referred to in this case. Attention is called to Article 1, Section 2 of the Cherokee Constitution.

By the Commission:
Q The applicant is identified on the roll of 1896, as a Cherokee by adoption, and his marriage liscence and certificate filed herewith show that he was married in accordance with Cherokee law to his wife, as claimed, on the 17th of August, 1882. His wife is identified on the rolls of 1894 and 1896, and the three children, William B., Narcissa J. and Robert B. are identified on the rolls of 1896: the youngest child, Dewie C. is too young to be on any of the rolls, and the applicant is required to supply the Commission with a duly authenticate certificate of the birth of the youngest child.

In view of the fact that the applicant's wife is not identified on the Roll of 1880, although application was made for her enrollment at that time, and it appears that such enrollment was refused by the Cherokee authorities; and in further view of the protest entered now against the enrollment of this family, by the representatives of the Cherokee Nation; the applicant and his wife and three elder children will now be placed on a doubtful card, for further consideration by the Commission. And when a duly authenticated certificate of birth of the youngest child is supplied the Commission, then it also will be placed on a doubtful card. When the final decision of the Commission is reached, it will be communicated to the applicant at his present Postoffice address, and it and all the testimony in the case will be forwarded to the Secretary of the Interior for his approval, which approval when given will be final in the case.)

The witness, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. A. Chesteen

Subscribed and sworn to before me this 6th day of September, 1906.

COMMISSIONER.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

AUG 25 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Muskogee Aug. 25th 1900.

33 Name Orin T. Pickard McAlester I.T.

District

Year 1896 Page 91 No. 219

Citizen by blood Yes. Mother's citizenship N.C. Jno. Pickard-white-dead

Intermarried citizen No. Cherokee Martha " — " —

Married under what law

Date of marriage 1892

License Yes Certificate Yes

2 Wife's name Mary E. Pickard

CANADIAN.

District

Year 1896 Page 57 No. 535

Citizen by blood Yes Mother's citizenship Cher. Gotlin Crane—white-dead

Intermarried citizen No. Cherokee Louisa " —Cher

Married under what law

Date of marriage

License Fort Smith Aug. 20, 1892 Certificate Fort Smith Aug. 20, 1892

Names of Children:

3 William A. Pickard	Dist.	"	Year 1896	Page 57	No. 536	Age 8
4 Narcissa J. "	Dist.	"	Year "	Page 57	No. 537	Age 7
5 Lowell O. "	Dist.	"	Year "	Page 57	No. 538	Age 6
6 Elsie E. "	Dist.		Year	Page	No.	Age 2
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age

*3 Cannot be found. William A. Pickard

*6 Applicant's father is supposed.

Marriage license and certificate attached.

N.E. 155

CLERK'S REPORT OF CERTIFICATES.

District, Cherokee Nation 189

Cherokee Nation.

HON.

SIR: I have the honor to submit this my Report of certificates issued for the

ending 189

NO.	NAMES.	DATE.	SERVICE.	CASE OF.	DAYS.	TOTAL.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 25 1900

Cher. Nat.

To any legaly authorized person solemnize marriage,

Greeting: You are hereby authorized to join in the Holy Bonds of matrimony and celebrate the rites and ceremonies of marriage between Mr. J.T. Pickard a citizen of the United States and Mrs Mary E. Crane a citizen of the Cherokee Nation and you are required to return this license to me for record within thirty days from the celebration of such marriage with a certificate of the same thereto appended and signed by you.

Given under my hand and seal of office this the 16th day of August 1892.

Chas. F. Mann. Clk. Can. Dist. C.N.

Marriage certificate.

Canadian Dist.

Cherokee Nat.

This is to certify that I S.F. Wilson a duly ordained Minister of the Gospel did on the 17th day of Aug 1892 solemnize the rites of matrimony by uniting as husband and wife J.T. Pickard and Mrs Mary E. Crane.

S.F. Wilson, Minister.

A true copy and recorded by me this 18th day of Aug. 1892.

Chas. F. Mann, Clk. Can. Dist. C.N.

I, [illegible] Assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the marriage records of Canadian District Cherokee Nation; and that said records are kept in the Executive Office of said Nation by law and are in my custody.

Given by me at Tahlequah Cherokee Nation on this the 4th day of August 1900.

B. W. Alberty

Assistant Executive Secretary,

Cherokee Nation.

A

20

IN RE

Application for Enrollment of

INFANT CHILD

Dewey S. Pickard.

as a citizen of the

Nation.

Approved: Nov 5 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 25 1900

D184

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Dewey C Pickard (Here insert name of child), born on the 26 day of Nov, 1898
Name of Father: J. T. Pickard, a citizen of the Cherokee Nation.
Name of Mother: Mary E Pickard, a citizen of the Cherokee Nation.
Post-office, McLain, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
North District.

I, Mary E. Pickard, on oath state that I am 25 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of J. T. Pickard, who is a citizen, by Adoption, of the Cherokee Nation; that a male child was born to me on the 26 day of Nov 1898; that said child has been named Dewey C Pickard, and is now living.

Mary E. Pickard

WITNESSED TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 11 day of Dec 1900

J. C. Buchanan
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Louiza Crain, a , on oath state that I attended on Mrs. Mary E Pickard, wife of J. T. Pickard, on the 26 day of Nov, 1898; that there was born to her on said date a male child; that said child is now living and is said to have been named Dewey C Pickard

Louiza Crain

WITNESSED TO MARK:

(Must be Two Witnesses)

J. C. Buchanan

Subscribed and sworn to before me this 11 day of Dec 1900

J. C. Buchanan
NOTARY PUBLIC.

B. 128.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 20, 1902.

In the matter of the application of John T. Pickard for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 4, 1902, that his case would be taken up for final consideration by the Commission on the 20th instant, and that he could on said day appear and introduce any additional testimony affecting his case. He has been called three times and fails to respond either in person or by attorney, and the case is closed.

Commissioner.

D188

W 185

20

IN RE

Application for Enrollment of

INFANT CHILD

Nancy C Richard

as a citizen of

Choctaw Nation.

Approved March 18 1902

Commissioner.

13 1902

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Lewey C Pickard, born on the 26 day of November, 1898
(Here insert name of child)

Name of Father: John T Pickard a citizen of the Cherokee Nation.

Name of Mother: Mary E Pickard a citizen of the Cherokee Nation.

Post-office McLain I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY } District.
Northern

I, Mary E. Pickard, on oath state that I am 26 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of John T. Pickard, who is a citizen, by adoption, of the Cherokee Nation; that a male child was born to me on 26th day of November, 1898 (male or female.) that said child has been named Lewey C. Pickard, and is now living.

Mary E. Pickard

WITNESSED TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 18th day of March 1902

N. A. Gibson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } District.
Northern

I, Louisa J. Crane, a Midwife, on oath state that I attended on Mrs. Mary E. Pickard, wife of John T. Pickard on the 26th day of November, 1898; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Lewey C. Pickard

Louisa J. Crane
her
Midwife

WITNESSED TO MARK:

(Must be Two Witnesses) } N. A. Gibson
Richard Woodard

Subscribed and sworn to before me this 18th day of March 1902.

N. A. Gibson
NOTARY PUBLIC

No. 188

IN RE

Application for Enrollment of

INFANT CHILD

Maude [illegible] Sizemore

as a Citizen of

[illegible] Nation.

Approved [illegible] 1901

[illegible]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 17 1902

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Maude M. Brickard born on the 13 day of April, 1902
(Here insert name of child)
Name of Father: Jno. C. Brickard a citizen of the Cherokee Nation.
Name of Mother: Mary E. Brickard a citizen of the Cherokee Nation.
Post-office Tahlequah, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY } ss.
Cherokee District. }

I, Mary E. Brickard, on oath state that I am 21
years of age and a citizen, by Birth, of the Cherokee Nation;
that I am the lawful wife of Jno. C. Brickard, who is a citizen, by
marriage, of the Cherokee Nation; that a female child was
(male or female)
born to me on 13 day of April, 1902; that said child has been
named Maude M. Brickard and is now living.

Mary E. Brickard
her
mark

WITNESSES TO MARK:
(Must be Two Witnesses) { Clinton Riley
Edward E. Starr

Subscribed and sworn to before me this 13 *day of* May, 1902.

Jno. P. Carter
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY } ss.
Cherokee District. }

I, Lucy Vann, a midwife, on oath state that I
attended on Mrs. Mary E. Brickard, wife of Jno. C. Brickard
on the 13 day of April, 1902, that there was born to her on
said date a female child; that said child is now living and is said to have been
named Maude M. Brickard.

Lucy Vann
her
mark

WITNESSES TO MARK:
(Must be Two Witnesses) { Clinton Riley
Edward E. Starr

Subscribed and sworn to before me this 13 day of May, 1902.

Jno. P. Carter
NOTARY PUBLIC

Cherokee D 188.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 16, 1902.

In the matter of the application of John T. Pickard for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E. Pickard, and his six minor children, William H., Narcissa J., Robert B., Dewey C., Katie B. and Maude M. Pickard, as citizens by blood, of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

JOHN T. PICKARD, being sworn, testified as follows:

By the Commission,

Q What is your name? A J. T. Pickard.
Q John T. Pickard? A Yes, sir.
Q How old are you? A I am thirty-six years old.
Q What is your posteffice? A McLain.
Q You are a white man, are you? A Yes, sir.
Q Are you claiming as a citizen by intermarriage? A Yes, sir.
Q What is the name of the wife through whom you claim your citizenship? A The name of my wife?
Q Yes. A Her name was Crane before I married her.
Q What was her first name? A Mary E.
Q Is she a Cherokee by blood? A Yes, sir.
Q How long has she been living in the Cherokee Nation? A She has been here ever since, I guess, about '80. Her mother went over to the Choctaw Nation and come back about '80.
Q You think your wife has been living in the Cherokee Nation since 1880? A Yes, sir.
Q When were you married to her? A In '92.
Q Were you married under a Cherokee marriage license? A Yes, sir, in 1892.
Q Was Mary E. your first wife? A Yes, sir.
Q Are you her first husband? A Yes, sir.
Q Neither you nor your wife had ever been married before, had you? A No, sir.
Q Have you been living with your wife ever since you married her? A With the exception of eight or ten months right after we married.
Q You separated right after your marriage? A Yes, sir.
Q And did not live together for eight or ten months? A Yes, sir.
Q What was the cause of your separation? A I don't know. There was not much cause, she just took a notion she wanted to go home. That was before the second child was born she wanted to go home. She wanted to go home to be confined.
Q And stayed away ten months? A Yes, sir.
Q And she came back to you? A Yes, sir.
Q Been living together ever since? A Yes, sir.
Q Never been separated since that time? A No, sir.
Q Have you made your home in the Cherokee Nation ever since your marriage? A Yes, sir.
Q Never been out anywhere else? A No, sir, I have never went out of the Territory.
Q How many children have you by your wife, Mary? A Six children, five living.
Q What are their names? A William H., Narcissa J., Robert B., Dewey C. and Katie B.; Katie's the one dead.
Q When did she die? A May 6, '91.
Q There are five living, one more dead? What is the name of your

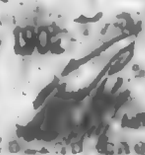
oldest child? A William H.
Q What is the name of your second child? A Narcissa.
Q And your third child? A Robert E.
Q And your fourth child? A Dewey C.
Q Is that your youngest living child? A No, sir. I have one more, it's named Maud. I can't keep up with their names, Maud something, though.
Q When was it born? A It was born last February, I believe; I declare, I had not thought much about it.
Q Born last February, February of this year? A Yes, sir. Maudie May I believe is its name. My recollection is awful bad.
Q Did you ever apply for its enrollment? A Yes, sir. We fetched it here, Maudie May.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 13th day of November, 1902.

B C Jones
Notary Public.



(COPY)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Louisa J. Crane, et al., for enrollment as Cherokee citizens, consolidating the applications of:

Louisa J. Crane, et al., D-187
John T. Pickard, et al., D-188
Charles Rains, et al., D-240.

D E C I S I O N.

The record in this case shows that on August 25, 1900, Louisa J. Crane and John T. Piackard appeared before the Commission at Fort Gibson, Indian Territory, and made their respective applications, as follows:

Louisa J. Crane applied for the enrollment of herself and her minor children, Henry B. and Maud M. Crane, as citizens by blood of the Cherokee Nation, John T. Pickard applied for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E. Pickard, and his minor children, William H., Narwissa J., Robert B., and Dewey C. Pickard, as citizens by blood of the Cherokee Nation.

Further proceedings in the matter of these applications were had at Fort Gibson, Indian Territory, on September 10, 1901, and at Muskogee, Indian Territory, on February 20, and October 16, 1902. Birth affidavit s were filed, subsequent to the ofiginal application, for Katie E. and Maude M. Pickard.

On August 22, 1900, Charles Rains appeared before the Commission at Fort Gibson, Indian Territory, and made personal application for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy A., and his three minor children, Ollie M., John H., and Ray A. Rains, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 21, March 13, April 21, and October 28, 1902.

The evidence shows that the said Louisa J. Crane was born in the Cherokee Nation; that she is a Cherokee by blood, and that she is identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896. Henry B. and Maud M. Crane are shown to be the minor children of the said Louisa J. Crane, and they are identified on the 1894 pay roll and the 1896 census roll of the Cherokee Nation.

The evidence further shows that John T. Pickard was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on August 17, 1892, to Mary E.

Crane, a Cherokee by blood, who is shown to be the daughter of the said Louisa J. Crane. William H., Narcissa J., Robert B., Dewey C., Katie E. and Maude M. Pickard are shown to be the minor children of the said John T. and Mary E. Pickard.

The evidence further shows that the said John T. Pickard is identified on the Cherokee census roll of 1896; that the said Mary E. Pickard is identified on the Cherokee pay roll of 1894 and the Cherokee census roll of 1896; and that the said William H. and Narcissa J. Pickard are identified on the 1894 pay roll and the 1896 census roll; that Robert B. Pickard is identified on the Cherokee census roll of 1896, and said Dewey C., Katie E. and Maude M. Pickard, are identified by birth affidavits made part of the record herein.

There was filed with this Commission, on October 17, 1902, an affidavit from which it appears that Katie E. Pickard died on May 16, 1901, and said affidavit is made part of the record herein.

The evidence further shows that Charles Rains was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, in the year 1893, to Nancy A. Crane, who is shown to be a Cherokee by blood and the daughter of the said Louis J. Crane; that said Charles Rains is identified on the Cherokee census roll of 1896; that said Nancy A. Rains is identified on the 1894 pay roll and the 1896 census roll of the Cherokee Nation; that said Ollie M. and John H. Rains are identified on the 1896 census roll of the Cherokee Nation, and the said Roy A. Rains is identified by birth affidavit made part of the record herein.

The evidence further shows that the said Louisa J. Crane, Mary E. Pickard and Nancy A. Rains, have resided in Indian Territory, all their lives, and in the Cherokee Nation since about the year 1880; that the minor children herein applied for have resided in the Cherokee Nation all their lives; that the said John T. Pickard and Charles Rains have lived with their said wifes, Mary E. Pickard and Nancy A. Rains, respectively, in the Cherokee Nation continuously since their marriage to them, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Louisa H. Crane, Henry B. Crane, Maud M. Crane, Mary E. Pickard, William H. Pickard, Narcissa J. Pickard, Robert B. Pickard, Dewey C. Pickard, Maude M. Pickard, Nancy A. Rains, Ollie M. Rains, John H. Rains and Roy A. Rains, should be enrolled as citizens by blood, and that John T. Pickard and Charles Rains should be enrolled as citizens by intermarriage of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered; and it is further ordered that the application for the enrollment of Katie E. Pickard as a citizen of the Cherokee Nation, be, and the same is, hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,
Acting Chairman.

T. B. Needles,
Commissioner.

C. R. Breckinridge
Commissioner.

Dated at Muskogee, Indian Territory,
this Jan. 30, 1903.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5
Benjamin W Williams	8
Lena Severs	19
Sarah E. McCay	21
Joseph Herberger	23
Laura Henson	43
William W. Barnes	48
Georgia Wood	54
Walter A Edens	62
Adda B Ward	69
Samuel G. Victor	73
Sarah M Thomas	109
William B Watson	165
William H Ford	173
Thomas N Wilson	185
Ume Ann Smith	208
Susan M Perry	208
Gertrude Palone	224
Hugh Willis	229
Mary A. Wilkie	248
John W Thurman	253
Scott Harless	294
Emma Phillips	307
John Whisenhunt	350
Tilman Chance	373
Thomas A Shelfield	384
Vester C. Martin	388
William Grigsby	417
William J. Largen	508
Joseph P. Willis	584
James T. Miller	598
George A. Waters	632
Jenette Messer	666
Joseph A Patton	679
Benjamin G Holland	763
William Gordon	798
Maggie Patterson	804
Martha M Bruner	832
Emma Morris	842
Susie Fivekiller	857
John F Carden	861
William H Burrow	867

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lota Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Lay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2137
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Sungee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4284
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Pigrow L. Jones	4641
Ada Berthoff	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peek	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John I. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bibb	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlingourd	4991
Lee Metea	5083
Hester M. Love	5100
Alice J. Wofford	5101
Nancy Maples	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5238

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Juha Kidd	5575
William R. Greer	5576
Rosa M. Stykeller	5581
Nancy Inlow	5587
Daisey H. Owen	5589
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry E. Extine	5796
Ida Wyly	5802
Richard L. Pitt	5813
Edward Lutz	5816
John F. Woodworth	5829

Horace H Huddleston	5832
William R Sartain	5837
Joseph A Lawrence	5843
William H Hunter	5846
Joseph Lehr	5851
Elam M Young	5852
Mary C Barnes	5853
Matilda Thompson	5861
William W Young	5872
Earley E Ellis	5874
Rosa B Albert	5877
Sarah Cannon	5879
Minnie Beck	5887
Jack H Merriman	5888
John D Merchant	5890
[illegible]	5894
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

James Maher 7128
Terry A Parkerson 7146
Cora E Hank 7147
Otto F Zedell 7149
Rufus M Norman 7155
Mary L Foreman 7158
Alma West 7159
James M Connally 7161
Frances M Crowell 7163
Fannie E McCoy 7171
Benjamin B Graham 7176
Ada Pharis 7180
William L Whitesheet 7184
Frances B Perry 7191
Philip Shultz 7210
Hester A Miller 7212
Minnie B Edmond 7213
Eliza Jordan 7217
William T Ross 7218
Thomas M Price 7225
James G Wilson 7231
Frank Rhomar 7263
John W Thompson 7267
Melissa Scott 7271
Sabot L Lawson 7273
Henry W Coughlin 7282
Sarah Ross 7291
Mary S Smith 7322
John A Mathis 7323
Myrtle Robinson 7330
Allen L Brooks 7331
James L Cook 7350
Elijah Johnson 7351
Mary L Kennington 7360
Jennie Burr 7367
Kasey Sapstocker 7378
Sarah J Johnson 7394
William L Brown 7409
Wyatte L Brady 7412
Lena O Hoderman 7413
Mary L Hollingsworth 7420
Bertha A Vick 7425
Robert L Lewis 7426
Lottie B Martin 7434
Mertie Wolfe 7435
Mary Brewer 7479
Sarah Ketcher 7488
Charles D Ferguson 7512
Mac Cochran 7544
Robert L Oglesby 7549

Robert B Collins 7556
Nancy L Brown 7579
Mary B Walkingstick 7642
Robert T Kelleam 7653
Mollie Morton 7797
Mattie Girty 8006
Mack Alfred 8015
Ida Harmon 8016
Ida McCoy 8417
Rosie Foreman 8903
Annie Jackson 9034
Margaret T Langley 9092
Ida M Davis 9266
Nora Crapo 9289
Margaret Harmon 9378
Mary B Langley 9438
Ella Gravitt 9439
William M Wilson 9444
David O Scott 9446
Harriett Forbes 9447
John Carver 9449
Thomas J Davis 9451
Clara M Boudinot 9453
Mary E Keys 9454
John G Ainsworth 9456
Mary J Christy 9460
Malinda Seabolt 9462
Mary Cumpton 9464
Mollie P Mulkey 9465
Andrew Brimmer 9467
James F Flippin 9471
William Bird 9473
Mollie C Forbes 9476
William B Thomason 9478
Mollie Devine 9481
Mary P Guthrie 9482
Detlev N Leerskov 9484
Nannie Cowart 9485
Leona Catcher 9489
Alexander B Clapp 9502
Tennie Sanders 9503
Virgil A Wiltshire 9505
Joshua K Carr 9510
Herbert Kneeland 9518
Hugh E Hope 9519
Thomas J Ritter 9522
Martha Baldridge 9529
James R Poindexter 9535
Maud Foreman 9539
Belle Bryant 9542

Joseph P Smith 9550
George E Watkins 9552
Florence Henry 9553
Jesse H Johnson 9560
Lydia B Barger 9561
Mary Jane Thomas 9562
James F Petty 9563
Laura McCrary 9566
Joel D Smith 9568
William T Cave 9572
William Bugher 9577
James M Smith 9582
John E Nazworthy 9583
Beverly L Lafon 9587
Robert E Gentry 9590
John C Barker 9591
John P Greenwood 9593
Henry Hayes 9596
Ella Cornwell 9598
Asa A Hedrick 9599
William C M Robinson 9600
Woodrow Hadley 9612
William T Gregory 9613
Charles M Keys 9616
Bate O Reed 9618
Joseph E Feland 9623
Florence C Smith 9625
Charles M Cox 9630
Otis S Skidmore 9634
William H Hundley 9635
Thomas A McDonald 9636
Annie Sanders 9638
Mack H Martin 9640
Mary Ward 9653
George Givens 9660
Pheney Poorboy 9669
Charley Kiper 9671
Andrew J Snider 9672
William T Barton 9684
Daniel Crail 9770
Mary M Motte 9771
Leena E Herrin 9854
Gailen E Carrick 9855
Rosa B Barger 9857
Rachel Foreman 9858
Serepta C Willis 9861
Virgie Seabolt 9864
Annie Cannon 9867
Isabella McCoy 9874
Robert E Dry 9875

William G Brown 9879
John B Delay 9881
Pairlee Thompson 9882
Guenther W Werther 9883
Margaret Crittenden 9884
Moses L Morris 9889
Sarah L Rogers 9891
Stephen Duncan 9892
Gideon D Sleeper 9895
William A Maddin 9896
John H Horton 9904
Howe L Rogers 9905
William Rush 9912
George W Edens 9916
William H Hall 9920
Edith B Pheasant 9935
Carrie A Collins 9936
Lucinda Spriggs 9937
Ella F Hail 9939
John W Harris 9940
Hannah Raper 9942
John J Coughran 9945
Youra F Waybourn 9946
Louisa J Taylor 9947
William M Evans 9948
William F Pierce 9949
May F Chambers 9950
Albert Stevenson 9954
Henry Kiefer 9955
Sarah Bean 9956
Zeno M Cox 9964
Jerusha E Blair 9965
Elias Kyle 9991
Ida Cushman 9992
James W Fleming 9994
Samuel Holmes 9995
Walter H Talley 9997
Hannah J Miller 9998
Clara V Ward 10002
Stephen W Pittsenberger 10005
Mary E Palmour 10008
William T Partin 10011
Nelbe Fields 10013
Sarah A Dawes 10015
Willard E Hutchins 10016
Jesse Talbert 10020
Julia E Setser 10021
Amanda E Howell 10022
Mamie J Rogers 10023
Nannie Rogers 10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda F. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Mulligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Packard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingslea	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1005
Thomas J. Welch, Jr	D	1009
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1040
John M. Burns	D	1059
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spainard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Ryder	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. E. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Medding	D	1637
Thomas Rodman	D	1661
Katie Stiff	D	1866
Ira Creach	D	1913
D. A. Moore	D	1967
J. C. Setter	D	1991
Jennie Hollaway	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crabe	D	2592
Daisy Cox	D	2595
Hiram A. Lasley	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Priscilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tallmore	D	2613
Jasper Thrasher	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Wheelhouse	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dosie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Ellie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Osceowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simeo	D	3060
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

.....

Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
[illegible]
TAMS BIXBY,
THOMAS B. [illegible],
C. R. [illegible].

ALFRED L. RYLEMAN,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mr. John T. Pickard,

McLain, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and five minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 26th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with an affidavit of the birth of Dewey C. Pickard.

Cherokee D-188

Register.

Yours truly,

Acting Chairman.

F

D188

FILED
FEB 4 1902

ACTING CHAIRMAN

(COPY)
(COPY)

Cherokee
D-187, D-188 &
D-240.

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Louisa J. Crane for the enrollment of herself and her minor children, Henry B. and Maude M. Crane, as citizens by blood of the Cherokee Nation; granting the application of John T. Pickard for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E., and his minor children, William H., Narcissa J., Robert B., Dewey C. and Maude M. Pickard, as citizens by blood of the Cherokee Nation, and dismissing his application for the enrollment of his minor child, Katie M. Pickard as a citizen of said Nation; and granting the application of Charles Rains for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy A., and his three minor children, Ollie M., John M. and Roy A. Rains, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case,

a copy of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,
Acting Chairman.

Enc.M-8173

COPY.

Cherokee D-188.

Muskogee, Indian Territory, February 20, 1903.

John T. Pickard,

McLain, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Mary E. Pickard, and your five minor children, William H., Narcissa J., Robert B., Dewey C. and Maude M. Pickard, as citizens by blood, of the Cherokee nation, and dismissing your application for the enrollment of your minor child, Katie E. Pickard, as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.

Chairman.

Enc. E-S.

Register.

Cherokee
10117

Muskogee, Indian Territory, January 16, 1907.

John T. Pickard,

McAlin, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Inel, Decn. D

Commissioner.

Cherokee
10217.

Muskogee, Indian Territory, March 14, 1907.

John T. Pickard,

McLain, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Department January 26, 1907.

Respectfully,

MJC

Commissioner.

Cherokee
8 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.6-100
Ltr

Cher 10118

Charles Rains

Trans. from D240

Cher 10118

V

[illegible] OF THE [illegible] 1905,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., August 31, 1900.

In the matter of the application of Charles Raines for enrollment of himself, wife and children, as citizens of the Cherokee Nation, said Charles Raines being sworn by Commissioner Kerr, testified as follows:

Q What is your name? A Charles Raines.
Q Your age? A 30.
Q Your postoffice? A Nelema.
Q Are you a duly admitted citizen of the Cherokee Nation? A Yes, adopted citizen.
Q For whom do you apply for enrollment? A Myself, wife and three children.
Q What district do you live in? A Canadian.
Q How long have you lived there? A About 12 years.
Q Your father and mother non-citizens? A Yes.
Q What is the name of your wife? A Nancy A.
Q What was her name before you married her? A Crain.
Q When were you married? A '93.
Q What is the name of your wife's father? A John Crain.
Q Is he living? A No sir.
Q What is the name of your wife's mother? Louisa J.
Q Is she living? A Yes.
Q What are the names of your children? A Ollie ., 7 years old.
On '94 roll, page 6., number [illegible].
Q Next? A John H., 5 years old.
On '94 roll, page, 6., number 1654.
Q Next? A Roy A., 5 months old.

Q Are the children alive and living with you? A yes.
Q Have you any certificate of marriage to Nancy? A I sent for it to Tahlequah, but it hasn't got here yet.
Applicant on '96 roll, page 92, number 237;
Applicant's wife on '94 roll, page 82, number 1682, as Nannie.
On '94 roll, page 84, number 1781, as Nannie Rain.
On '96 roll, page 18, number 359.
Q Why isn't your wife's name on the '60 roll? A She was living in the Choctaw Nation at that time?
Q How long has your wife been living in the Cherokee Nation? A Since '82.
Q Were they readmitted by act of the Council? A I don't know.
Q Have they been living here since '82? A yes.
Q Your wife's mothers name is on the roll of '60? A No sir, they lived in the Choctaw Nation.
Q Is that the reason your wife's name is not on the '60 roll? A Yes.

The name of Charles Raines appears upon the census roll of '96. He avers that he was married to his wife, Nannie A. Crain, a Cherokee citizen by blood, in the year '93, but presents no certificate of marriage. The name of his wife, Nannie A., is found upon the census roll of '96 as Nannie A. Crain, her maiden name, and upon the pay-roll of '94 as Nancy A. Raines. Upon examination of the authenticated rolls of '60, her name, nor that of her mother is found. The name of her mother, Louisa J. Crain, is also found upon the census roll of '96. The name of her children, Ollie M., and John H. are found upon the census roll of '96, and certificate of birth is presented as to the birth of her youngest child, Roy A. Satisfactory proof as to their residence being made, and they being duly identified according to page and number of the rolls as indicated

in the testimony, but satisfactory proof not being made as to their citizenship, final judgment as to the application for enrollment of Charles Raines and his wife and children will be suspended, and their names will be placed upon a doubtful card, awaiting proof as to citizenship of Nancy A. Crain, his wife, and as to marriage of himself with his said wife, Nancy. He will be listed upon said card as a Cherokee citizen by intermarriage, and his wife as a and children as Cherokee citizens by blood.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

B McDonald

Subscribed and sworn to before me this 17th day of September, 1900.

C N Freeman

Commissioner.

p240 a-

FILED
SEP 17 1900

9246

13 -

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
AUG 31 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(30) Name Nannie Rains Date of application AUG 31 1900 1900.

District CANADIAN. Year 1896 Page 92 No. 237

Citizen by blood Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

2 Wife's name Nannie M Rains nee Crane

District CANADIAN. Year 1896 Page 62 No. 1692

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage John Crane

License Certificate Louisa J. "

Names of Children:

Allie M Rains	Dist. Canadian	Year 1896	Page 62	No. 1683	Age 11
John W "	Dist.	Year 1896	Page 62	No. 1684	Age 5
3 Roy A "	Dist.	Year	Page	No.	Age 5 mo
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Proof as to ~~husband~~ marriage to be supplied

" " " " " " "

2m 1896 roll as 'Nannie M Rains

~~Testimony of Nannie Rains~~

See testimony of Louisa Crane Knee
Sept 10 & 18
Affidavit as to birth to be supplied.

Before the Commission To Civilized Tribes

In re Application of Charles L. Rains for Enrollment as Adopted Citizen of Cherokee Nation. Affidavit of [illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 18 1900

ACTING CHAIRMAN.

In The Indian Territory, }
Northern District }

Personally appeared before the undersigned Notary Public in and for the aforesaid District. J. W. Davidson of lawful age and known to be a Creditable person who being duly sworn on oath doth say that his residence is Muskogee Indian Territory age 57 years. Occupation Farming at present; that he has personally known Charles L. Rains of McLain Cherokee Country Ind. Ty. for Seven (7) years last past. That affiant is also a minister of the Gospel of the Christian Church and as such solemnized the rite of matrimony joining in marriage the said Charles L. Rains to Nancy A Crane now Nancy A Rains. That said parties were joined in marriage in Canadian District Cherokee Country on the day of A.D. 1893. That the said Charles L Rains was a Citizen of the U. S. now an adopted Citizen of the Cherokee Nation.

J. W. Davidson

Subscribed and sworn to before me this 9 day of October A.D. 1900

[illegible]
Notary Public

D244 D-

20

IN RE

Application for Enrollment of

INFANT CHILD

Clay T Tains

as a citizen of the

Cherokee Nation.

Approved August 31 1901

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED,
AUG 31 1901

Chairman.

Cards to D210

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Roy Alfred Rains, born on the 7 day of March, 1900

(Here insert name of child)

Name of Father: Charley L Rains an adopted citizen of the Cherokee Nation.

Name of Mother: Nancy A Rains, a citizen of the Cherokee Nation.

Post-office, McLain I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
(INDIAN TERRITORY)
Northern District. }

I, Nancy A Rains, on oath state that I am 22 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Charley L Rains, who is a citizen, by adoption, of the Cherokee Nation; that a male (male or female) child was born to me on the 7 day of March 1900; that said child has been named Roy Alfred Rains, and is now living.

Nancy A Rains

WITNESSES TO MARK:

(Two witnesses) }

Subscribed and sworn to before me this 17 day of August 1900

Guy L. V. Emerson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
(INDIAN TERRITORY)
Northern District. }

I, Victoria Dike, a midwife, on oath state that I was present at the (attended) Mrs. Nancy A Rains wife of Charley L. Rains on the 7 day of March, 1900; that there was born to her on said day a male (male or female) child; that said child is now living and is said to have been named Roy Alfred Rains.

Victoria Dike

WITNESSES TO MARK:

(Two witnesses) }

Subscribed and sworn to before me this 17 day of August 1900

Guy L. V. Emerson
NOTARY PUBLIC

"F"

D 849

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 21, 1902.

In the matter of the application of Charles Haines for the enrollment of himself, wife and children as citizens of the Cherokee Nation:

The Commission: The applicant was notified by registered letter on February 4, that his case would be taken up for final consideration by the Commission on the 21st day of February, 1902, and that he could on said day appear before the Commission in person or by attorney and an opportunity would be given him to introduce any additional testimony affecting his application.

He was also requested to supply the Commission with evidence of his marriage in accordance with the laws of the Cherokee Nation.

He has been called three times and has failed to respond either in person or by attorney, and the case is closed.

Commissioner.

R.

C. D-240.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Charles Raines for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

Appearances:
W. W. Hastings, attorney for the Cherokee Nation.

The applicant was notified by registered letter February 4, 1902, thathis application for the enrollment of himself, wife and family as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, I. T., on the 21st day of February, 1902. On said date the case was called and there being no appearance, same was deemed completed, and it was ordered reported to the Commission for final decision. The applicant Charles Raines this day, to-wit: the 13th day of March, 1902, appears before the Commission and asks to have the case re-opened, stating that he desires to introduce testimony relative to having procured and been married under a Cherokee license. By agreement with the representative of the Cherokee Nation present the case is reopened, and the testimony to be heard will be made a part of the record.

J. M. COEM, being first duly sworn, and being examined, testified as follows:

BY COMMISSION OF MR. COEM: What is your name? A. J. M. Coem.
Q. How old are you? A. Forty-five.
Q. What is your postoffice address? A. McLain, Indian Territory.
Q. Are you acquainted with the applicant, Charles Raines? A.Yes.
Q. Are you acquainted with his wife, Nancy A. Raines? A.Yes sir.
Q. How long have you known them? A. I have known Charles all his life, since a little boy. Have known her about twelve years.
Q. Are you a Cherokee or a white man? A. White man.
Q. Were you present when they were married? A. Yes sir.
Q. Who married them? A. A man named Davidson.
Q. Is he a minister of the Gospel? A. Yes sir.
Q. Did you see the license? A. I was there when they read it.
Q. Who read it? A. This man Davidson. I was standing there.
Q. What kind of a license was it, by whom issued?
A. I could not tell you, I don't know.
Q. Is it your understanding that they were married under a Cherokee license, or a license issued by a United States Court?
A. I understood it was a Cherokee license.
Q. Would you be able to distinguish the difference between the two?
A. I think I would.
Q. Did you see the petition that [illegible] a license by the authorities of the Cherokee Nation when he married his wife? A. I could not say that I did.
Q. Do you know anybody that saw it, any of the signers of the petition? A. No sir, I don't believe I did. Never did know.
Q. When were they married? A. It has been nine years ago or ten.
Q. Have you known and seen him continuously since that time?
A. Yes sir, all the time, except that I was gone from this country about two years ago.

2.

Q. Do you know whether or not he has exercised the rights of a Cherokee citizen since he is married?
A. No sir, I do not.

L. J. CRANE, being first duly sworn, and being examined, testified as follows:

BY COMMISSION OF MR. CRANE: What is your name? A. L. J. Crane.
Q. How old are you? A. Fifty-seven.
Q. Are you acquainted with the applicant in this case, Charles Raines? A. Yes sir, he married my daughter.
Q. What was her name? A. Nancy.
Q. Married at your house?? A. At Mr. Simpson's, a neighbor's.
Q. Were you present when they were married? A. Yes sir.
Q. Did you see the marriage license? A. Yes sir, the preacher read it.
Q. What kind of a marriage license was it? A. It had Cherokee signers.
Q. Where did they get the license? A. Charley Vann.
Q. What was he? A. Cherokee.
Q. Was he Clerk of any District? A. Yes sir
Q. What district? A Canadian.
Q Did you see his petition, the applicant's petition?
A. I saw the license, when we all went to the wedding.
Q. Do you know anybody who signed the petition asking for this license? Do you know whether he had signers?
A. I don't know.
Q. You know that he had apetition? A. Yes sir, and I know that he was married. I know that he was married in accordance with the license that he had from Charley Vann.

MR? HASTINGS: When was he married.
A. I don't exactly know, but it was in ninety- something, before the Strip payment.
Q Do you think Charley Vann was Clerk at that time?
A. I know he was, because I never think about dates.
Q. You saw the license yourself, did you? A. Yes sir.
Q. Was it a long license, or a short one?
A. I didn't pay any attention, I never thought about having to be called up about it.
Q. You never had the license in your own hands? A. No sir.

JOHN T. PICKARD, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A. John T Pickard.
Q. How old are you? A. Thirty-five.
Q. Where do you live? A. Canadian District.
Q. How long have you been living there? A. Ten years.
Q. Do you know Mr Raines, the applicant in this case? A. Yes sir.
Q. How long have you known him? A About ten years. Since I have been in the Territory.
Q. Do you know his wife, Nancy A. Raines? A. Yes sir.
Q. Do you know of their being married?
A. I don't know that they were married, I saw them going to the wedding.
Q. You saw them going to the wedding? A. I saw them start out.
Q. You don't know that they were married under a Cherokee license?
A. I suppose they were, that is the talk.
Q. Did you see him when he had his petition out trying to get this license? A. Yes sir, I saw him.

Q. Do you know that he did have out a petition for a license?
A. Yes sir.
Q. You know thatof your own knowledge?
A. I never saw it, but I know that he did.
Q. Do you know anybody that signed the petition? A. No sir.
Q. You don't know whether thelicense was issued to him? A.No sir.
Q. You know they were living together continuously since that time?
A. Yes sir.

CHARLES RAINES, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A. Charles Raines.
Q. How old are you? A. Thirty-one.
Q. What is your post office address? A. McLain.
Q. You appliedto this Commission in August, 1900, for the enrollment of yourself, wife and family as citizens of the Cherokee Nation?
A. Yes sir.
Q. When were you married to your wife? A. In 1893.
Q. Were you married under a Cherokee license? A. Yes sir.
Q. Who issued the license to you? A. Charley Vann.
Q. Did you go after it yourself? A. Yes sir.
Q. Who signed your petition? A. John Jordan, and I don't remember who all did sign it. I got some women, Mrs. Bowers, and Mrs. Vann. I don't remember who did sign it. I never paid much attention to it.
Q. You were married under the license issued to you? A. Yes sir.
Q. That license was issued to you by the Clerk of what District?
A. Canadian.
Q. What became of your marriage license and certificate.
A. I guess the preacher kept it.
Q. Were they not returned to you?
A. I let Charley Vann have it, and I asked him if he ever gave receipts to show that we was married, and he said he would return it
Q. Did you cause the records at Tahlequah to be examined?
A. Yes sir, I had two men look.
Q. What did they tell you about it? A. They said they went there, and there was nothing of a marriage license there.
Q. You and your wife have lived together continuously since the marriage? A. Yes sir.
Q. Neither either of you married before? A. No sir.
Q. Living there at the present time? A. Yes sir.
Q. Resided in the Cherokee Nation continuously since that time?
A. Yes sir.
Q. Living there now? A. Yes sir.

MR. HASTINGS: Is Charley Vann living?
A. He is, unless he died lately. I have not seen him for about two years.
Q. You never made an effort to gethim to testify in this matter?
A. He was at Fort Gibson when I went to register and toldhim, and he said it would be all right, but he registered before I did and got away.
Q. How much did you pay him for the license?
A. Ten dollars, I think it was. Twelve and a half, I think.
Q. Did you get a United States license here,A Yes sir.
Q. You had both? A. Yes sir. I got a license here from Nelson, the Clerk.

BY COMMISSION: Is there any further statement you desire to make relative to your application? A. Not that I know of.
Q. You submit it to the Commission for final decision?
A. That is all I know
Q. You submit the case, then, to the Commission for final consideration? A. Yes sir.

The applicant and the representative of the Cherokee Nation present submit the case, same is now deemed completed, and will be reported to the Commission for final decision based upon the evidence now of record.

---o0o---

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

RECEIVED
U.S. INDIAN INSPECTOR
OKLA. TERR.
OCT 15 1903

DEPARTMENT OF THE INT
COMMISSION TO THE FIVE CIVIL
FILED
MAR 27 1902

D. 240.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., April 21, 1902.

In the matter of the application of Charles Raines for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

CHARLES RAINES, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Charles Raines.
Q How old are you? A 31.
Q What is your postoffice address? A McLain.
Q What is the name of your wife? A Nancy A.
Q When were you married to her? A '93.
Q Were you married under a Cherokee marriage license? A Yes, sir.
Q Who issued that license to you? A Charley Vann.
Q What official position, if any, was he holding at that time? A He was clerk of Canadian District.
Q What became of that marriage license? A I couldn't tell you.
Q Well what disposition did you make of it? A I turned it over to Mr. Vann.
Q Have you ever endeavored to obtain a certified copy of it? A Yes, sir.
Q Did you secure a copy? A No, sir.
Q Who did you write to about it? A I had Jim Buchanan to write to Tahlequah to—I don't know who he was.
Q What did they tell you? A They said they couldn't find it.
Q Who married you? A Davidson, Preacher Davidson.
Q How long ago was that? A It's been about nine years ago.
Q What are the names of some of the men who signed your petition for a license? A John Jordan signed for one.
Q Anybody else? A It's been so long I can't think of many of them.
Q That the only one you remember, just one signer? A That's all I remember of for certain.

CHARLES VANN, being first duly sworn, testified as follows-

COMMISSION: What is your name? A Charles Vann.
Q How old are you? A 38 I believe.
Q What is your postoffice address? A Webbers Falls.
Q Are you acquainted with Charles Raines, the applicant in this case? A Yes, sir.
Q Are you acquainted with his wife, Nancy A.? A Not very well acquainted; I have seen her.
Q How long have you known this applicant? A Last eight or nine years I suppose, something like that.
Q Do you know when he was married to his wife, Nancy A.? A No, sir, I don't know when he was married.
Q Were you present at the marriage? A No, sir.
Q Do you know whether or not he was married under authority of a Cherokee marriage license? A I issued him the license; that's all I know about that.
Q You remember having issued him the license, do you? A Yes, sir.
Q That was a regular Cherokee license? A Yes, sir.
Q Do you remember who some of his signers were? A No, sir, I don't remember that.

[illegible], being first duly sworn, testified as follows:

Q [illegible] A [illegible].

Q What is your postoffice address? A McLain, Indian Territory.
Q Are you acquainted with the applicant in this case, Charles Rainey? A Yes, sir.
Q How long have you known him? A I have known him all his life; he is my nephew.
Q Did you know his wife, Nancy A.? A Yes, sir.
Q Do you know whether or not they were married? A Yes, sir.
Q How do you know it? A They was married to each other at my house.
Q Did you see the license under which they were married? A Yes, sir.
Q What kind of a license was it? A Well, I didn't read it; I didn't see them; I saw the preacher looking at them; I didn't examine them myself.
Q Do you know whether it was a Cherokee license? A No, I don't know; I suppose it was.
Q Do you know who issued the license to him of your own knowledge? A No, I don't.
Q You saw them married? A Yes, sir.
Q Been living together as man and wife ever since? A Yes, sir.
Q Have you ever heard this man's right disputed as an intermarried citizen? A No, sir.
Q Has he generally been recognized in the community as an intermarried citizen? A Yes, sir.

Arthur C. Croninger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur C. Croninger

Subscribed and sworn to before me this 24th day of April, 1902.

P. L. Foster
Notary Public.

D 240

FILED
MAY 1 1902

Cherokee Dr. 240

Executive Department, Cherokee Nation.
Tahlequah, Ind. Ter.

I hereby certify that I have made examination of the marriage records of this office and they do not show the marriage of Charles Rains and his wife , Nancy Rainey nee Crain, and I further cerify that I am legal custodian of said records.

This the 15th., day of Sept. 1902.

J. F. Parker

Executive Secretary.

Cherokee D-340.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 28, 1902.

In the matter of the application of Charles Rains for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy A. Rains, and children, Ollie M., John H. and Roy A. Rains, as citizens by blood of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Charles Rains.
Q How old are you? A Thirty-two.
Q What is your postoffice address? A McLain.
Q Are you an applicant for enrollment as an intermarried citizen of the Cherokee Nation? A Yes sir.
Q What is your wife's name? A Nannie.
Q Is she a white woman? A No sir.
Q A Cherokee by blood? A Yes sir.
Q When were you married to your wife, Nancy Rains? A In '93.
Q Were you married under a Cherokee license? A Yes sir.
Q Have you filed your license and marriage certificate with the Commission? A No sir, I couldn't find them. I had two men to look for them and they couldn't find them.
Q You have filed your certificate of marriage have you; did you mak proof before the Commission when you applied? A Yes sir, I brought the Clerk that issued the license.
Q Were you ever married before you married yur wife, Nancy A.? A No sir.
Q Was she ever married before her marriage to you? A No sir.
Q Have you and she lived together all the time since your marriage up until the present time? A Yes sir.
Q Never separated? A No sir.
Q You and she are living together on the first day of September, 1902, as husband and wife? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to your wife up until the present time? A Yes sir.
Q How long has your wife lived in the Cherokee Nation? A I think they come from the Choctaw Nation up here in '81.
Q Has she lived here ever since '81 up to the present time? A Yes sir.
Q Are these children, Ollie M., John H. and Roy A., your children by your wife, Nancy? A Yes sir.
Q Are they all living at this time? A Yes sir.
Q Have they lived all their lives in the Cherokee Nation? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 28th day of November, 1902.

[signature]
Notary Public.

[illegible] OF THE INTERIOR,
[illegible] FIVE CIVILIZED TRIBES.

[illegible] of Louisa J. Crane, et al.,
[illegible], consolidating the applications
of:

[illegible] -137
[illegible] -138
[illegible] -140

[illegible] on August [illegible], 1900,
[illegible] before the Commission
[illegible] their respective applica-

[illegible] of herself and
[illegible], as citizens by blood
[illegible] for the enrollment
[illegible] for the enrollment of
[illegible] children, William [illegible],
[illegible], as citizens by blood of

[illegible] of said applicant who were
[illegible] October 10, 1901, and at
[illegible] October 16, 1902.
[illegible] the original application,

[illegible] before the Com-
[illegible] Territory, and made personal applica-
[illegible] as citizens by intermarriage, and
[illegible], for his three minor children,
[illegible], as citizens by blood of the
[illegible] in the matter of said applica-
[illegible], Indian Territory, on February 21, March 13,

[illegible] said Louisa J. Crane was born
[illegible] Cherokee by blood, and that she
[illegible] of [illegible] and the Cherokee census
[illegible] is shown to be the minor
[illegible] Crane, and they are identified on the
[illegible] roll of the Cherokee Nation.
[illegible] that John T. Pickard was lawfully
[illegible] with the
[illegible], August 17, 1897, to Mary E. Crane, a



DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, March 17, 1906.

In the matter of the allotment of lands to Nancy A. Rains and her minor children, Ollie M., John H. and Roy A. Rains, Cherokee Card No. 10118, Approved Roll Nos. 26834 to 26837 inclusive.

Charles Rains, husband and father and intermarried a plicant, Cherokee Card No. 10118, being sworn, testified as follows:

Examination by the Commission:

Q What is your name? A Charles Rains.
Q How old are you? A 35.
Q What is your post office address? A McLain, Indian Territory.
Q What is the name of your father? A William R . Rains.
Q What is the name of your mother? A Jane Rains.
Q Are you an applicant for intermarried rights in the Cherokee Nation?
A Yes sir.
Q What is the name of your wife? A Nancy A. Rains.
Q What is the name of her father? A John Crane.
Q What is the name of her mother? A Louisa J. Crane.
Q Give the names of your children? A Ollie M., John H. and Roy A.
Q Are your wife and these three children living at this time?
A Yes sir.
Q Are they living with you? A Yes sir.
Q What is your object in appearing at the Land Office today?
A To designate land as allotment for my wife and three children.
Q Have you any written authority from your wife to make these designations? A Yes sir.

Witness offers Power of Attorney executed by Nancy A.Rains March 16, 1905, wherein she appoints Charles Rains her lawful attorney to make application to the Commission to the 5 Civilized Tribes for allotments of land in the Cherokee Nation for herself and children, Ollie M. Rains, John H. Rains and Roy A. Rains.

Q Is the Nancy A. Rains who executed this power of attorney your wife? A Yes sir.
Q And are you the Charles Rains named therein? A Yes sir.
Q And are the three children, Ollie M., John H. and Roy A. Rains the children of yourself and Nancy A. Rains? A Yes sir, the same.
Q Are the lands you desire allotted to your wife and children improved?
A Yes sir.
Q Are you residing upon the lands at this time? A Yes sir.
Q Have you made any previous application for land for wife and children
A No sir, this is the first filing.
Q Does the land lay west of Grand river? A Yes si r.
Q State the reasons why your wife does not make personal appearance and selection? A On account of her health and the baby been chilling.
Q Have you physician's certificate of yo r wife's inability on account of her health? A Yes sir.

Witness offers certificate dated March 16, 1905, signed Thomas A. Scott, MD. certifying that Nancy A. Rains is unable to leave home on account of her health and family.

(WITNESS EXCUSED).

Blanch Ashton upon oath states that as stenographer to the Commission to the Five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her stenographic notes thereof.

Blanch Ashton

Subscribed and sworn to before me this 17th day of March, 1905.

W. A. Rucker

Notary Public.

FILED
MAR 17 1905
COMMISSION TO FIVE TRIBES.

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A Edens	62	Joseph P. Willis	584
Adda B Ward	69	James T Miller	598
Samuel G Victor	73	George A. Waters	632
Sarah M Thomas	109	Jenette Messer	666
William B Watson	165	Joseph A Patton	679
William H Ford	173	Benjamin G Holland	763
Thomas N Wilson	185	William Gordon	798
Clare Ann Smith	206	Maggie Patterson	804
Susan M Perry	208	Martha M Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Sumo Fivekiller	857
Mary A Wilkie	248	John F Carden	861
John W Thurman	253	William H Burrow	907

Department of the Interior,
Commissioner to the Five Civilized Tribes.

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Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	393
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	503
Walter A. Edens	62	Joseph P. Willis	584
Addie B. Ward	69	James T. Miller	588
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	765
Thomas N. Wilson	185	William Gordon	798
Lino Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	833
Gertrude Palmer	224	Emma Morris	842
Hugh Wilks	230	Susie Fivekiller	847
Mary A. Wilks	246	John F. Carden	861
John W. Thurman	268	William H. Bunner	867

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lona Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2266
John A. Madden	2281
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3020
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3138
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryno	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Blucjacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkinson	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4066
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4180

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woodly	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Juha Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J Ketchum	4623
Lizzie Lové	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigrow L Jones	4641
Ada Berthoff	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John F Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4705
Mattie E Hill	4709
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4825
Blackburn Reed	4832
Viola Lowther	4862
William B Ritchson	4930
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Ratthaggourd	4991
Ida McCay	5002
Henry M Lyon	5300
Alice J Wofford	5301
Nancy Morris	5357
Ella Sullivan	5360
Winfield Williams	5364
Bessie M Smith	5365
May Humphrey	5367
Dunnie Burgess	5385

Nora B Burgess	5236
John E Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H Wells	5261
Jvlm T Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5356
Charles Horton	5390
James W Goddard	5417
Dora Cox	5425
Nannie G Alberty	5438
Sallie Ward	5455
William H Sutherlin	5484
Lizzie Hall	5487
Cyrus B Essex	5489
Edn Taylor	5493
Laura Taylor	5494
Elector D Miller	5496
Emberson M Arnold	5498
Stella Henry	5499
William E Oneal	5506
John W Sharp	5509
John L Davis	5514
Sarah E Downing	5518
Samantha C Glass	5524
Harry Jones	5525
Nettie Paris	5532
James W Hallford	5535
Phoebe Coker	5537
Archeny K Douglas	5538
Joseph H Johnson	5541
Harvey O Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kuhl	5573
William R Greer	5576
Rosa W Sickafoose	5581
Nancy Inlow	5587
Dewey H Owen	5599
Victor R C Owen	5600
Jesse McKnight	5602
Cicero J Strange	5610
Henry Westenhaver	5611
Emma H Roach	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shimp	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Seigel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Asa W Simerson	5683
William J Kuhn	5686
Elsie Couch	5688
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5701
Dennis W Smith	5702
William H Chesnut	5705
William H Durham	5707
Albert B Buckmaster	5710
Maud Crutchfield	5720
Joseph S Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Crafton	5750
Benjamin F Coffee	5756
Frank McSpadden	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Extine	5796
Ida Wyly	5802
Richard L Fite	5815
Edward Lutz	5816
John F Woodworth	5820

Horace H Huddleston	5932
William R Sartain	5937
Joseph A Lawrence	5943
William H Hinton	5946
Joseph Lehr	5951
Enin M Young	5952
Mary C Barnes	5953
Matilda Thompson	5961
William W Young	5972
Farley F Ellis	5974
Rosa B Albery	5977
Sarah Cannon	5979
Manie Beck	5987
Jack H Merchant	5988
John D Merchant	5989
Sarah E Ghormley	5994
Jerry Young	5996
James H Brooks	5996
Mary Hicks	5999
George W Woods	6002
Albert Crain	6005
James M Jones	6012
Alfred W Shows	6015
John M Stratton	6026
Waddie Hudson	6027
Robert C Johnson	6029
Mary T Thompson	6041
Edith A Parris	6043
Addie Hubbard	6049
John A Lowry	6062
John R W Brantley	6063
James T Carroll	6064
Christopher L Jordan	6065
Minerva L Stover	6066
John W Twilley	6067
Joseph W Monroe	6070
Cornelius P Potter	6071
Amanda C Thompson	6072
John M Rusk	6076
Harryson L Hughes	6078
Silas B Dibbine	6083
Lewis M Payne	6085
Nancy Beamer	6086
Sarah F Selvidge	6092
Posy F Buckner	6095
John A Moreland	6010
Alice Welch	6015
Mary C Thompson	6022
Ida Beck	6029
William R Tittle	6030

George C Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Estelle	6037
Florence C Langley	6038
Jean T Ham	6042
Mary I Jordan	6048
Jean W Bradshaw	6076
James I Dean	6079
Amanda J Thompson	6082
Marcus Hubbard	6089
Jane Benge	6111
John D Ryals	6113
John C DeLozier	6117
Jesse Willis	6118
Mary A Clark	6124
Mary J Tipton	6126
Leander Newton	6136
William A Qualls	6138
Henderson B Thomas	6144
Hugh T Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E Shaw	6194
John Keys	6211
Bean J Grey	6214
John Grubb	6216
William M Costephens	6230
Jane Bean	6232
Lillie I Taylor	6236
Abbie B Adair	6239
Mark C Watkins	6246
Robert W Murray	6261
John G Petty	6260
Lucinda Pourbor	6279
Sarah Mayes	6286
Henry W Pyeatt	6300
Isaac A Wilson	6308
John T Hall	6310
Edward L King	6315
Katie Still	6325
Emmet Carlile	6338
Burl Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R Miller	6362
James Brackett	6370
Xora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715

James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A Parkinson	7146
Cora L Hanks	7147
Otto J Zufall	7149
Rufus M Norman	7155
Mary F Foreman	7158
Alma West	7159
James M Connally	7161
Francis M Crowell	7163
Fannie E McClure	7171
Benjamin B Graham	7176
Ada Phariss	7180
William L Whisenhunt	7184
Frances B Perry	7191
Philip Shultz	7210
Hester A Miller	7212
Minnie B Edmonds	7213
Eliza Jordan	7217
William T Ross	7218
Thomas M Price	7225
James G Wilson	7231
Frank Rhomar	7263
John W Thompson	7267
Melissa Booth	7271
Solon L Jackson	7273
Henry W Coughran	7282
Sarah Ross	7291
Mary S Smith	7322
John A Martin	7323
Myrtle Robinson	7330
Allen L Buckner	7331
James D Goad	7350
Elijah Johnson	7351
Mary E Kenbrough	7360
Jennie Burr	7367
Knasay Sapsucker	7378
Sarah J Johnson	7394
William I Branan	7409
Wyatte T Brady	7412
Lena O Holderman	7413
Mary F Hummingbird	7420
Bertha A Allen	7425
Robert J Tyner	7426
Fannie B Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy I Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
William M Wilson	9444
David O Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J Davis	9451
Clara M Boudinot	9453
Mary E Keys	9454
John G Ainsworth	9456
Mary J Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P Mulkey	9465
Andrew Brimmer	9467
James F Flippin	9471
William Bird	9473
Mollie C Forbes	9476
William H Thomason	9478
Mollie Devipe	9481
Mary P Guthrie	9482
Detlev N Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B Clapp	9502
Tennie Sanders	9503
Virgil A Wiltshire	9505
Joshua K Carr	9510
Herbert Kneeland	9518
Hugh E Hope	9519
Thomas J Ritter	9522
Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
William Bugher	9577
James M Smith	9582
John E Nazworthy	9583
Beverly L Lafon	9587
Robert L Gentry	9590
John C Barker	9591
John P Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
Woodrow Hadley	9612
William T Gregory	9613
Charles M Keys	9616
Bate O Reed	9618
Joseph E Feland	9623
Florence C Smith	9625
Charles M Cox	9630
Otis S Skidmore	9634
William H Hundley	9635
Thomas A McDonald	9636
Annie Sanders	9638
Mack H Martin	9640
Mary Ward	9653
George Givens	9656
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J Snider	9672
William T Barton	9684
Daniel Crail	9770
Mary M Motte	9771
Lecia E Herrin	9854
Gailen E Carrick	9855
Rosa B Barger	9857
Rachel Foreman	9858
Serepta C Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E Dry	9875
William G Brown	9879
John B Delay	9881
Pairlee Thompson	9882
Guenther W Werther	9883
Margaret Crittenden	9884
Moses L Morris	9889
Sarah L Rogers	9891
Stephen Duncan	9892
Gideon D Sleeper	9895
William A Maddin	9896
John H Horton	9904
Howe L Rogers	9905
William Rush	9912
George W Edens	9916
William H Hall	9920
Edith B Pheasant	9935
Carrie A Collins	9936
Lucinda Spriggs	9937
Ella F Hail	9939
John W Harris	9949
Hannah Raper	9942
John J Coughran	9945
Youra F Waybourn	9946
Louisa J Taylor	9947
William M Evans	9948
William F Pierce	9940
May F Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M Cox	9964
Jerusha E Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W Fleming	9994
Samuel Holmes	9998
Walter H Talley	9997
Hannah J Miller	9998
Clara V Ward	10002
Stephen W Pittsenberger	10005
Mary E Palmour	10008
William T Partin	10011
Nellie Fields	10013
Sarah A Dawes	10015
Willard E Hutchins	10016
Jesse Talbert	10020
Julia E Setser	10021
Amanda E Howell	10022
Mamie J Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Parader	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingslea	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Reinhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Coster	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Onorico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Walker	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emory S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. E. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Bleyins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creacl	D	1913
D. A. Morris	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquet	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whitehead	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2996
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simco	D	3060
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALEXANDER L. ARLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mr. Charles Raine,

McLain, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your Cherokee Marriage license.

Yours truly,

Cherokee D-960

Register.

Acting Chairman.

Muskogee, Indian Territory, April 12, 1902.

Mr. Charles Raines,

McKain, Indian Territory.

Sir:

On the 4th day of February 1902, you were notified that the application for yourself and family for enrollment as citizens of the Cherokee Nation would be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 21st day of February 1902. On said date you would be allowed an opportunity to appear in person or by attorney and introduce such additional testimony affecting your application as you might deem essential.

You were also requested in that notification to supply the Commission with your Cherokee marriage license.

It appears however, that you failed to appear on the date set, as hereinbefore shown; you also failed to supply the Commission with your Cherokee marriage license.

You are hereby notified that you will be permitted to appear either in person or by attorney, on or before the 21st day of April 1902, and introduce any additional testimony affecting your application. You are also required to supply the Commission with your Cherokee marriage license, and the certificate of admission or

readmission to Cherokee citizenship of your wife Nancy A. Haines. If you are unable to supply the original certificate you will be permitted to furnish certified copies thereof.

If you fail to furnish the proof outlined above, on the date hereinbefore specified your case will be deemed to have been submitted to the Commission for final consideration, and will be decided upon accordingly.

You are reminded that the information desired is very essential in the disposition of your case, and your prompt attention to it is requested and urged.

Yours truly,

Commissioner in Charge.

In answering refer to
Cherokee D. 240
Register.

Cherokee D 240.

Muskogee, Indian Territory, September 11, 1902.

J. T. Parks,

Executive Secretary, Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

Please furnish the Commission with a certified copy of the record showing the marriage of Charles Raine and his wife, Nancy Raine, nee Crain, said to have been granted in Canadian District in 1896.

In the event that no such record is found, please make certificate to that effect.

Yours truly,

Acting Chairman.

COPY.

Cherokee
B-157, B-188 &
B-240.

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Louisa J. Crane for the enrollment of herself and her minor children, Henry B. and Maude M. Crane, as citizens by blood of the Cherokee Nation; granting the application of John T. Pickard for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Mary E., and his minor children, William H., Narcissa J., Robert R., Dewey C. and Maude M. Pickard, as citizens by blood of the Cherokee Nation; and dismissing his application for the enrollment of his minor child, Katie E. Pickard as a citizen of said Nation; and granting the application of Charles Raine for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy A., and his three minor children, Ollie M., John M. and Ray A. Raine, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case.

COPY.

a copy of which protest you will be required to serve upon the applicants. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

James Dibbo

Acting Chairman.

Enc. M-6173

COPY.

Cherokee D-240.

Muskogee, Indian Territory, February 20, 1903.

Charles Raine,

McLain, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Nancy A. Raine, and your three minor children, Ollie M., John H. and Roy A. Raine, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.

Enc. H-9.

Register.

Cherokee
1078

Muskogee, Indian Territory, January 18, 1907.

Charles Rains,

McLain, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn. D

Commissioner.

Cherokee
10118.

Muskogee, Indian Territory, March 14, 1907.

Charles Rains,

McLain, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for your enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,

MJC

Commissioner.

Cherokee
S et al.

Muskogee, Indian Territory, March 14, 1907.

W. V. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.S-100
LHS

Cher 10119

Stephen D. Alexander

Trans. from D335

Cher 10119

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 18th, 1900.

IN THE MATTER OF THE APPLICATION OF ELMER H. ALEXANDER, FOR THE ENROLLMENT OF HIMSELF AND CHILD AS CHEROKEE CITIZENS.

The said Elmer H. Alexander, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q What is your full name, please? A Elmer H. Alexander.
Q How old are YOU? A Thirty-one.
Q What is your post office? A Grove, Indian Territory.
Q What district do you live in? A Delaware.
Q Who is ityou want to have putonthe roll? A Myself and one child.
Q Did you marry your wife since 1895? A Yes, sir.
Q Do you applyfor yourself as a Cherokee by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A I was riased here.
Q You have lived here all your life? A Yes, sir.
Q What district were you in in 1880? A I don't know; Delaware I guess.
Q What district were you in in 1896? A Delaware.
Q Who was your father? A Harris Alexander.
Q Cherokee or white man? A White man.
Q Dead or alive? A I guess he isdead. He went off to the war.
Q Give me your mother's name. A Mary.
Q Cherokee or whitewoman? A Cherokee.
Q Dead or alive? A Alive.
Q What is the name ofyour child? A Robert Lee.
Q How old is the child? A Six months old.
Q What is the name of his mother? A Claretta.
Q Have you a marriage certificate? A No, sir.
Q Is shea white woman? A Yes, sir.
Q Have you got anybody here who was at the wedding? A There is some parties here, but I don't know whether I could find them or not.
Q Have you ever married before? A Yes, sir.
Q Were you divorced from that wife? A Yes, sir.
Q Where is your decree of divorce? A It is at home.
Q Were you married by a preacher? A Yes, sir.
Q Did you get a certificate of marriage the last time?
A Why he said he would fill it out, and I could getit when I come down there, but I didn't get it.
Q When were you married? A March, 1898.
Q And you never have gotten it? A No, sir, not yet.
1880 Roll, page 217, No. 54, Elmer Alexander, Delaware District, Native.
1896 Roll, page 418, No. 70, Elmer Alexander, Delaware District.
Q What was your present wife's name when you married her?
A Claretta Jones.
Q You were never married but one before? A No, that is all.

THE COMMISSIONER: The applicant applies for the enrollment of himself and one child. He is identified on the rolls of 1880 and 1896 as a native Cherokee. He believed inthe Cherokee Nation all his

life, and he will be listed now for enrollment as a Cherokee by blood.

In regard to his child: He is required to produce a copy of the decree of divorce freeing him from the obligation to his former wife, and showing that he was at liberty to marry his present wife, whom he says he married in March 1899. He is also required to furnish a certificate of marriage tohis present wife, and also a certificate of birth of the child Robert L. Alexander, whome he states is six months old. This child will at present be placed upon a doubtful card.

Applicant excused.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in the above mentioned application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Wm. J. McGahee

Subscribed and sworn to before me this 28th day of September A. D. 1900.

Commissioner.

D335

DEPARTMENT OF THE INTERIOR
COMMISSION OF THE FIVE CIVILIZED TRIBES

FILED

SEP 28 1906

B-

SEP 18 1900

ACTING CHAIRMAN

DELAWARE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 18 1900. 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Affidavit to be obtained

C -

20

IN RE

(1) Application for Enrollment of

INFANT CHILD

Robert Lee Alexander

as a citizen of the

Cherokee Nation.

Approved SEP 18 1900 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1900

Cert. 14335

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

NOTE.—*Application for Enrollment*, as a citizen of the Cherokee Nation.

of Robert Lee Alexander (Here insert name of child) born on the 27th day of February, 1900

Name of Father: Elmer Alexander, a citizen of the Cherokee Nation.

Name of Mother: Clarretta Alexander, a citizen of the Cherokee Nation.

Post-office, Grove - Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Delaware District.

I, Clarretta Alexander, on oath state that I am 18 years of age and a citizen, by Intermarriage, of the Cherokee Nation; that I am the lawful wife of Elmer Alexander who is a citizen, by Blood, of the Cherokee Nation; that a Male (male or female) child was born to me on the 27th day of February 1900; that said child has been named Robert Lee Alexander and is now living.

Clarretta Alexander.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of September 1900.

J. S. Rennan
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Delaware District.

I, J. C. Rolland, a Physician, on oath state that I attended on Mrs. Clarretta Alexander, wife of Elmer Alexander, on the 27th day of February, 1900 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Robert Lee Alexander

J. C. Rolland M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of September 1900.

J. S. Rennan
NOTARY PUBLIC

K 835

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1901

This Certifies that

of

State of

and

of

State of



on the [illegible] day of [illegible] A. D.

[illegible] by authority of

[illegible] day of

[illegible] A. D. and recorded by

[illegible] County, Illinois

Witness my signature

No. 8 D33

20

IN RE

Application for Enrollment of

INFANT CHILD

Stephen Alexander

as a citizen of

the Cherokee Nation

Approved: [illegible] 1901

[illegible]
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 30 1901

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a citizen of the Cherokee Nation,
of Stephen D Alexander, born on the 5th day of October, 1901
(Here insert name of child)
Name of Father: Elmer H Alexander, a citizen of the Cherokee Nation.
Name of Mother: Clarrettie Alexander, a citizen of the Cherokee Nation.
Post-office, Grove - Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Atoka District. }

I, Clarrettie Alexander, on oath state that I am 19
years of age and a citizen, by Intermarriage, of the Cherokee Nation;
that I am the lawful wife of Elmer H. Alexander, who is a citizen, by
Blood, of the Cherokee Nation, that a Male (male or female) child was
born to me on the 5th day of October 1901; that said child has been
named Stephen D. Alexander, and is now living.

Clarrettie Alexander.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 23rd day of October 1901.

J. Keenan
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Atoka District. }

I, J C Holland, a Physician, on oath state that I
attended on Mrs. Clarrettie Alexander, wife of Elmer H Alexander,
on the 5th day of October, 1901; that there was born to her on
said date a Male (male or female) child; that said child is now living and is said to have been
named Stephen D. Alexander

J C Holland M D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 23rd day of October 1901.

J. Keenan
NOTARY PUBLIC

"E"

D 335

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 25, 1903.

In the matter of the application of Elmer H. Alexander, for the enrollment of his two children, Robert L., and Stephen D. Alexander, as citizens of the Cherokee Nation:

J. C. STARR, one of the representatives of the Cherokee Nation, being sworn, testified as follows:

Examined by W W Hastings:

Q What is your name ? A J. C. Starr.
Q Do you know Robert L. Alexander ? A Yes sir.
Q Do you know his father Elmer H. Alexander ? A Yes sir.
Q Have you any information as to whether Robert L. Alexander is now living, or not ? A Yes sir.
Q What information have you ?
A I have a letter from Elmer H. Alexander stating that Robert L. Alexander died on September 1, 1901.

The Commission: This testimony will be filed and made a part of the record in the above case.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he accurately recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell.

Subscribed and sworn to before me this February 26, 1903.

Commissioner.

D. 335.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 25, 1902.

In the matter of the application of Elmer M. Alexander for the enrollment of his two children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 6, 1902, that this case would be taken up for final consideration by the Commission on the 25th day of February, 1902, and that he could on said day appear and introduce any further testimony affecting the application of his children. Receipt has been acknowledged of the Commission's letter. The applicant called three times and fails to respond either in person or by attorney, and the case is ordered closed and reported to the Commission for a decision based upon the evidence now of record.

Commissioner.

11335

IN RE
THE DEATH OF

a citizen of the

Nation.

Approved *1*

Commissioner.

D-335

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of **Robert L. Alexander**
(Here insert name of deceased)
a citizen of the **Cherokee** Nation, who formerly resided at or near
Grove (Here insert name of post office), Ind. Ter., and died on the **1st** day of **September**,
1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,)
(Indian Territory)
Northern District.)

I, **Elmer H. Alexander**, on oath state that I am **33**
years of age and a citizen, by **blood**, of the **Cherokee** Nation;
that my post office address is **Grove** (Here insert name of post office), Ind. Ter.; that I am
the father (State relationship as the father, mother, son, daughter, or wife of) of **Robert L. Alexander** (Here insert name of deceased),
who was a citizen, by **blood**, of the **Cherokee** Nation;
and that said **Robert L. Alexander** (Here insert name of deceased) died on the **1st** day of
September, **1901.**

(Witnesses to mark must be Two Witnesses)

Elmer H. Alexander

Subscribed and sworn to before me this **3d** *day of* **March** **1902.**

(SEAL)

T. S. Remsen
Notary Public

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,)
(Indian Territory)
Northern District)

I **Clarrietta**, on oath state that I am **19**
years of age, and a citizen, by **intermarriage**, of the **Cherokee** Nation;
that my post office address is **Grove** (Here insert name of post office), Ind. Ter.;
that I was personally acquainted with **Robert L. Alexander** (Here insert name of deceased)
who was a citizen, by **blood** of the **Cherokee** Nation;
and that said **Robert L. Alexander** (Here insert name of deceased) died on the **1st** day of
September **1901.**

(Witnesses to mark must be Two Witnesses)

Clerrettie Alexander

Subscribed and sworn to before me this **3d** *day of* **March** **1902.**

(SEAL)

T. S. Remsen
Notary Public

1.

D-335

Muskogee, Indian Territory, July 19, 1902.

I, R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do here by certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of Elmer H. Alexander for the enrollment of his minor children, Robert L. and Stephen D. Alexander, as citizens by blood of the Cherokee Nation.

R. A. Stevens

C D 335

NEWTON COUNTY, CIRCUIT COURT,) -- MAY TERM , 1898.

4th day. Thursday, May 19th., 1898.

Thora Alexander, ---plaintiff)

870. vs.) Divorce.

Elmer Alexander, ---Defendant) Decree & custody of child.

Now on this day this cause coming on for trial and plaintiff appearing in person and by her attorney announces ready for trial, but the defendant comes not although legally served by publication, the last insertion of which was more than thirty days before the first day of the present term of this Court, and is therefore adjudged in default.

The Court hears the evidence and finds the issues in favor of the plaintiff. The Court further finds that there was born of said marriage a child, now seven months old, named Willie; that plaintiff sustains a good moral character and that she is entitled to be divorced from the ~~former~~ defendant.

It is therefore considered, adjudged and decree that the bonds of matrimony contracted by and between the plaintiff and defendant be, and they are hereby dissolved and for naught held and esteemed; that plaintiff be and she is hereby forever divorced from the defendant and restored to all the rights and privileges of an unmarried person;

And the Court further orders that plaintiff have the care abd custody of her said child, Willie Alexander; that she pay the Costs of this suit and have hereof a copy of this decree.

STATE OF MISSOURI,) ss
COUNTY OF NEWTON.)

I, D. W. Tudor Clerk of the Circuit Court in and for said County, hereby certify that the above is a true copy of the Decree of Divorcement in the cause therein mentioned, as the same appears on record in my office.

S E A L Witness my hand as Clerk, and the seal of said Court Done at office in Neosho, this 16th day of February, A. D. 1899.

D. W. Tudor, Clerk.

By ----------Deputy.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the copy on file in this office.

Cherokee D-335.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of Elmer H. Alexander for the enrollment of his minor children, Robert L. Alexander and Stephen D. Alexander, as citizens by blood of the Cherokee Nation.

-- -- -- -- -- -- -- --

D E C I S I O N.

The record in this case shows that on September 18, 1900, Elmer H. Alexander appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment of his minor child, Robert L. Alexander, as a citizen by blood, of the Cherokee Nation. The application also included Elmer H. Alexander, but he is differently classified and is not embraced in this decision. Affidavit of the birth of Stephen D. Alexander was filed with the Commission on October 30, 1901, showing the date of his birth to have been subsequent to the date of this application. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 25, 1902.

The evidence shows that said Elmer H. Alexander is a Cherokee by blood and is identified as such on the 1880 Authenticated Roll of the Cherokee Nation and on the 1896 Census Roll of said Nation. The applicants are too young to appear on any of the tribal rolls of said Nation, but are identified by birth affidavits made a part of the record herein.

It appears that on March 23, 1899, Elmer H. Alexander was lawfully married to one Clarrettie George (or Jones), a non-citizen, and the applicants are the issue of such marriage. It further appears that said Elmer H. Alexander had been once previously married, but was legally divorced from his former wife at the time of his marriage to the mother of these applicants.

The residence of Stephen D. Alexander, who is a minor, is presumed to have been the same as that of his father, who has been a resident of the Cherokee Nation all his life, up to and including the date of the application herein.

The evidence further shows that the said Robert L. Alexander died on September 1, 1901.

It is, therefore, the opinion of this Commission that Stephen D. Alexander should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered; and it is further ordered by the Commission that the application for the enrollment of Robert L. Alexander should be, and the same is hereby, dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

T. R. Brocksmith
Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 28 1903

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREVOORT.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 5th, 1902

Mr. Elmer E. Alexander,

Grove, Indian Territory.

Sir:-

You are hereby notified that the application of Robert L. and Stephen D. Alexander for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 25th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are requested to supply the Commission with birth affidavit of Stephen D.

Yours truly,

Cherokee D-328

Register.

Acting Chairman.

E
D335

RECEIVED
FEB 8 1902

Cherokee D-338

Muskogee, Indian Territory, February 27, 1902

Mr. Elmer M. Alexander,

Grove, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of February 22, in which you state that you cannot appear before the Commission on the date set for the final consideration of the application for the enrollment of Robert L. Alexander et al. as citizens of the Cherokee Nation, but will forward certain birth affidavits.

In reply, you are advised that birth affidavit as to Stephen D. Alexander has heretofore been filed with the Commission, and it will therefore not be necessary for you to forward an affidavit as to the birth of this child.

You state in your letter that your child, Robert L. Alexander, is dead. There is enclosed you herewith affidavit as to the death of this child, which you are required to have executed and return to the Commission, in order to correct the record in this case.

Yours truly,

Commissioner in Charge.

Encl. 1 death aff.

Cherokee D-338.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January28, 1903, granting the application of Elmer H. Alexander for the enrollment of his minor child, Stephen D. Alexander, and dismissing his application for the enrollment of his minor child, Robert L. Alexander, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. E-6.

COPY.

Cherokee Roll.

Muskogee, Indian Territory, February 20, 1906.

Elmer H. Alexander,
Grove, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 26, 1906, granting your application for the enrollment of your minor child, Stephen D. Alexander, as a citizen by blood of the Cherokee Nation, and dismissing your application for the enrollment of your minor child, Robert L. Alexander, as a citizen by blood of said Nation.

Respectfully,

Acting Chairman.

Register.

Cher 10120

Mack Taylor

Trans. from D557

Cher 10120

/

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville, I.T., Oct. 10, 1900.

In the matter of the application of Mack Taylor for the enrollment of himself as a Cherokee citizen; being sworn and examined by Com'r Breckinridge he testified as follows:

Q Give me your name. A Mack Taylor
Q How old are you? A 28 years old.
Q What is your post-office? A Pawhuska.
Q What district do you live in? A I am living in the Osage Nation.
Q Who is it you want to have enrolled yourself and family?
A No sir, just myself.
Q Do you claim to have lived in the Cherokee Nation all your life? A I have lived in it since 1881.
Q How did you get to be a citizen in 1881? A We come from North Carolina.
Q Were you admitted by the Cherokee Commission or Council?
A Yes sir.
Q Where is your certificate? A I haven't got it.
Q What is your father's name? A David Taylor
Q Is he dead or alive? A Alive.
Q What is your mother's name? A Laura Taylor.
Q Is she dead or alive? A She is alive.
Q You came here in 1881 and were admitted in 1881? A Yes sir
Q You have claimed the Cherokee Nation as your home ever since?
A Yes sir.
Q Did you ever lived anywhere except the Cherokee Nation and Osage Nation? A No sir
Q When did you begin livingin the Osage Nation? A Last June a year ago.
Q Married last June a year ago? A No sir, I was married in 1890 had to move over there to school the children.
Q Your children are Osage? A Yessir
Q What proportion of Cherokee blood do you claim? A About an eighth or sixteenth.
Q You have to make your home over there in order to get the children enrolled over there. A Yes sir
1896 roll page 273 #4942 Mack Taylor Coowescoowee District.

Com'r Breckinridge: The applicant is identified on the roll of 1896 as a native Cherokee; he claims to have been admitted to the Cherokee Nation in 1881, by the Cherokee Council or Commission, and to have lived in the Cherokee Nation ever since, except that he moved with his family to the Osage Nation in June 1899 and he makes his home there now, which he states is necessary in order for the enrollment of his wife and children, his wife being and Osage and his children being enrolled in that Nation as Osage citizens. The applicant is required to present the Commission with an official evidence of his admission to citizenship in 1881, and to await this evidence and also for further consider the effect upon hisown right to enrollment of his change of domicile to the Osage Nation his application will at this time be placed upon a doubtful case to and the final decision of the Commission will be

M.D. [illegible], being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10 day of Oct. 1900.

Commissioner.

B557

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

RECEIVED
OCT 19 1900

Isaac Nation

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 10 1900 1900.

Name Mack Taylor, Indian Ty.

District [illegible] Year 1896 Page 273 No. 4943

Citizen by blood Yes. Mother's citizenship Harriet Taylor - dec

Intermarried citizen Yes. Laura Taylor - dec

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Names of Children:

[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age

Evidence [illegible]

Object, [illegible]

A. B. Cunningham



10/13-194

A. B. Cunningham

D 557

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 1, 1902.

In the matter of the application of Mack Tayler, for the enrollment of himself as a citizen of the Cherokee Nation:

Appearances:
J. R. Sequichie, Agent, for applicants;
W W Hastings, for the Cherokee Nation.

Applicant was notified by registered letter on February 12, 1902, that his application for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 1st day of March, 1902.

The applicant, this day, to-wit: the 1st day of March, 1902, appears in person and by his ~~attorney~~ agent J. R. Sequichie.

The Commission: Is there any statement you desire to make relative to the case ?

Mr. Sequichie: The representative of the applicant calls the attention of the Commission to the certificate of readmission signed October 18, 1900. The testimony shows in the original application that the applicant Mack Tayler intermarried with the Osage tribe of Indians, and that the reason of his residence in the Osage Nation at times is on account of his children; that he does not apply for the citizenship of the children as Cherokees by blood, but as Osage Indians by blood. He only applies in his own behalf. And further, that his personal effects, his farms, and his personal property is located in the Cherokee Nation, as setforth in the testimony.

The agent for the applicant and the representative of the Cherokee Nation present, submit the case, and the same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell.

Subscribed and sworn to before me this March 3, 1902.

M D Green
MD

Commissioner.

Cherokee D 557

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mack Taylor for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N

The record in this case shows that on October 10, 1900, Mack Taylor appeared before the Commission at Bartlesville, Indian Territory, and made application for his enrollment as a citizen by blood of the Cherokee Nation.

The evidence in this case shows that Mack Taylor is identified on the roll of North Carolina Cherokees who removed to the Cherokee Nation October 22, 1881, under an Act of the Cherokee National Council approved December 3, 1880, and he is identified on the Cherokee Census roll of 1896.

The evidence further shows that the said Mack Taylor resided in the Cherokee Nation from 1881 up to and including June 28, 1898.

It is, therefore, the opinion of this Commission that Mack Taylor should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES..

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this JAN 30 1903

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 1992

COMMISSIONERS
HENRY L. DAWES.
JAMES BIRD
THOMAS B. NEEDLES.
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 12, 1902.

Mr. Mack Taylor,

Pawhuska, Oklahoma,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 1st day of March, 1902,

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-867
Register.

Yours truly,

[redacted]
Commissioner in Charge.

Cherokee D-857

Muskogee, Indian Territory, November 24, 1902.

O. A. Mitscher,

U. S. Indian Agent,

Pawhuska, Oklahoma Territory.

Sir:-

The Commission has heretofore received an application for the enrollment, as a citizen of the Cherokee Nation, of Mack Taylor, who gave his age as 28 years and his postoffice as Pawhuska, Oklahoma Territory.

It appears that the wife and children of this applicant are members of the Osage tribe of Indians, and you are requested to advise the Commission if Mack Taylor has ever been enrolled or recognized as a citizen of the Osage Nation.

Respectfully,

Acting Chairman.

D. C. No.23471-1902.

Refer to 12/13 in Reply.

DEPARTMENT OF THE INTERIOR.
UNITED STATES INDIAN SERVICE.

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
Muscogee, I. T.

Gentlemen;-

Referring to your several letters, dated Nov. 24, 1902, Cherokee D-542, 557, 567, 568, 708, concerning certain parties who have filed applications for enrollment on the Cherokee roll, I have to advise you as follows:

Alice Bigheart, who I think is the wife of James Bigheart is not enrolled on the Osage roll.

I do not know Mack Taylor. He is not on the Osage roll.

Lorinda Pettit is not enrolled on the Osage rolls, nor is she recognized as an Osage. If she is the wife of S. W. Pettit, her children by him are enrolled as Osages.

John B. Johnson is not on Osage roll; his present wife and her children are.

Wellington Rogers, his two minor step-children, Ormie V. and Mary M. Hicks, his minor child Ruby L. Rogers, and his wife, Dora E. Rogers are not enrolled on the Osage roll. Wellington Rogers' children by his first wife, who was an Osage, are carried on the Osage roll.

Very respectfully,

O. A. Mitscher,
U. S. Indian Agent.

JVP

COPY.

Cherokee D-557

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Hank Taylor for enrollment as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-6174

Cherokee D-867.

Muskogee, Indian Territory, February 20, 1903.

Mack-Taylor,

Pawhuska, Oklahoma Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. H-14.

Register.

Cherokee D-557.

Muskogee, Indian Territory, February 20, 1903.

J. R. Sequichie,

Agent for Mack Taylor,

Chelsea, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Mack Taylor for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. H-30.

Register.

Cher 10121

Charles F. McGinnis

Trans. from D760

Cher 10121

760 -

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 30, 1900.

In the matter of the application of Charles F. McGinnis for the enrollment of himself as a Cherokee by intermarriage, and his children as Cherokees by blood; being sworn and examined by Commissioner Breckinridge, he testified as follows:

Q Give me your full name? A Charles F. McGinnis.
Q How old are you? A I was born in 1841, I am 59 I guess.
Q What is your post office? A Turley.
Q Do you live in Coowescoowee district? A Yes, sir.
Q Do you want to enroll yourself and family? A Yes, sir.
Q You have a wife, have you? A No, sir, my wife has been dead about ten or eleven years.
Q How many children have you? A I have three I want to enroll.
Q Are you a Cherokee by blood? A No, sir.
Q A white man? A Yes, sir, a white man.
Q Have you your marriage license and certificate? A Yes, sir.
Q Were you married before 1880? A I was married in 1879 I think it was.
Q Well, you are on the roll of 1880, aren't you? A Yes, sir.
Q Give me the name of the woman you married? A She was a widow when I married her, her maiden name was Mayes; she married an England.
Q What was her given name? A Sarah England.
Q Was she a Cherokee woman? A Yes, sir.
Q She is dead, is she? A Yes, sir.
Q When did she die? A She died in 1889.
Q Did you live with her now from the time you married her until she died? A Yes, sir.
Q Never separated at all? A No, sir, never separated, we always got along first rate.
Q Have you married since she died? A No, sir.
Q Now give me the names of your children? A William T. McGinnis.
Q How old is that child? A He was born in 1880.
Q The next child? A Elizabeth Charlotte McGinnis, about 17 years old.
Q Now the next child? A Cleveland C., 15 years old.
Q These children are all living now, are they? A Yes, sir.

(Charles F. McGinnis on 1880 roll, page 290, No. 1797, Charley McGinnis, Adopted white, Delaware district. Sarah McGinnis on 1880 roll, page 290, No. 1798, Sarah R. McGinnis, Delaware district. William T. McGinnis on 1880 roll, page 290, No. 1799, William F. McGinnis, Delaware district.)

A My name wasn't on that roll of 1896, I didn't have my certificate; I enrolled the children at Golagah.

(William T. McGinnis on 1896 roll, page 305, No. 3003, Coowescoowee district. Elizabeth C. McGinnis on 1896 roll, page 305, No. 3004, Elizabeth McGinnis, Coowe-scoowee district. Cleveland C. McGinnis on 1896 roll, page 305, No. 3005, Chas. C. McGinnis, Coowescoowee dist.)

The applicant applies for the enrollment of himself and three children. He is identified on the roll of 1880 as an adopted white. His Cherokee wife, with whom he is there identified, is said to have died in 1889. He lived with her until the time of her death, and has lived in the Cherokee Nation ever since 1880. He states that he has not remarried since the death of that wife. He is not identified on the roll of 1896. He states that he was refused enrollment by an incompetent census taker because he didn't have his marriage license with him at the time, although his identification on the roll of 1880 should have been sufficient. He will now be listed upon a white card to permit personal testimony to the effect that he has not married since the death of his Cherokee wife. His three children are identified on the roll of 1896, they are living now, and will be listed for enroll-

Charles F. McGinnis - 2.

ment as Cherokee citizens by blood.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 31st of October, 1900.

Commissioner.

COOWEESCOOWEE
Statement of Applicant for Enrollment Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 30 1900 1900.

Name Charles F. McGinnis, Turtle G.

District DELAWARE. Year 1880 Page 290 No. 1797

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

Enrolled as Charley McGinnis awaiting personal testimony to the effect that he was married

S U P P L E M E N T A L T E S T I M O N Y .

D Card #1994.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., NOVEMBER 1st, 1900.

SUPPLEMENTAL TESTIMONY in the matter of the application of Charles F. McGinnis for enrollment as a citizen of the Cherokee Nation:

GEORGE W. ENGLAND, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q What is your full name? A George W. England.
Q How old are you? A I am 25 years old.
Q What is your post office? A Turley, I.T.
Q You live in Coowescoowee district, do you? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know Mr. McGinnis here, Charles F. McGinnis? A Yes, sir.
Q How long have you known him? A Knowed him 20 years, all my life might say.
Q Have you been living a neighbor to him for the last 20 years?
A Yes, sir.
Q Are you old enough to remember his wife? A Yes, sir.
Q What was her name? A Sarah.
Q When did she die? A She died in the Spring of '90.
Q Has he ever married since then? A No, sir.
Q Who has he lived with since then? A Lived with his children on the old place.
Q How many children has he got? A Three.
Q How many are sons? A Two of them.
Q How old is his daughter? A She was born about '85 I think.
Q He just lives at the same home where he lived when his wife lived with him? A He has moved a time or two.
Q Just lived with his children? A Just lived with his children.
Q Has any woman been living there with him? A No sir.
Q No wife? A No, sir.
Q Just he and his family living together themselves? A Yes, sir, him and his children.
Q You know positively of your own personal knowledge that he has never taken up with any woman in any manner since his wife's death?
A Yes, sir.
Q You and your family lived on the place some? A Yes, sir. I have been around close to him.
Q No woman except your wife? A That is all.

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J. O. Reeson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings of the above named witness and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Reeson

Subscribed and sworn to before me this 1st day of November, 1900.

Notary Public.

Cher
Supp'l to # D 760

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 20, 1902.

In the matter of the application of CHARLES F. McGINNIS, for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation:

CHARLES F. McGINNIS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Charles F. McGinnis.
Q What is your age at this time ? A Sixty one.
Q What is your post office address ? A Turley.
Q Are you the same Charles F. McGinnis that applied to the Commission for enrollment as an intermarried citizen in October, 1900 ? A Yes sir.
Q What is your wife's name ? A Sarah.
Q Is she living at this time ? A No sir, she's been dead about twelve years.
Q Was she a citizen by blood of the Cherokee Nation ?
A Yes sir.
Q When were you married to your wife Sarah ?
A In 1879, January 16th, I believe.
Q Do you appear on the 1880 roll with her ? A Yes sir.
Q Did you and your wife Sarah live together from 1880 as husband and wife up till her death ? A Yes sir.
Q Never were separated ? A Never was.
Q Have you married since her death ? A No sir.
Q You have never been married to any other woman since 1880 ?
A No sir.
Q You were still a widower and a single man on the first day of September, 1902 ? A Yes sir.
Q Have you lived in the Cherokee Nation since 1880 up to the present time ? A Yes sir.
Q You never have lived out of the Cherokee Nation since that date ?
A No sir.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this November 22, 1902.

Notary Public.

Cherokee D-760.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
---o---

In the matter of the application for the enrollment of Charles F.McGinnis as a citizen by intermarriage of the Cherokee Nation.

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DECISION.

--:-:--

The record in this case shows that on October 30,1900, Charles F. McGinnis appeared before the Commission at Claremore, Indian Territory, and made personal application for the enrollment, among others, of himself as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Claremore, Indian Territory, on November 1, 1900, and at Muskogee, Indian Territory, on October 20, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

Charles F. McGinnis is identified on the 1880 Authenticated Tribal Roll of the Cherokee Nation as an intermarried white. His Cherokee wife, Sarah McGinnis, is also identified on that roll.

The evidence further shows that said Charles F. McGinnis resided in the Cherokee Nation with his said wife from the time of his marriage to her until her death in 1889, and continued to reside therein, and had not remarried, up to and including September 1,1902.

It is, therefore, the opinion of this Commission that Charles F. McGinnis should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

: 1s

DEPARTMENT OF THE INTERIOR,

Commissioner to the Five Civilized Tribes.

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of Frank Howard, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee enrollment cards corresponding to the numbers following their respective names, viz:

Frank Howard	28	Georgia A. Walker	4392
Julia A. Alberty	513	Mary A. Journeycake	4475
Angeline Oer	968	Pat Flanagan	4517
Nancy E. Twist	1028	Ethic Foster	4613
Samuel D. Harp	1559	Albert F. Johnson	4616
Marquis D. L. Dowell	1767	Alexander H. Knaggs	4617
Lindsey Wallace	2020	Jackson W. Drake	4654
Richard Southerlin	2058	James E. Burrows	4672
George W. Kirk	2273	William P. McClellan	4740
Caroline P. Waybourn	2510	Samuel A. Wells	5262
George W. Talbott	2892	Mary J. Thompson	5492
Thomas J. Jordan	2946	Jeremiah Y. Stokes	5543
Robert B. Neighbours	3002	John G. Butler	5639
James B. Smith	3453	Ora B. Downing	5699
Rachel Silverheel	3703	James W. McSpadden	5724
Frederick Fluke	3858	Jeremiah Springston	5773
David Stinger	4059	Hettie Holland	5799
Huldah Bennett	4265	Merriweather G. Reagan	5821
Amos V. Flint	4370	Bartley E. Scott	5831
Louvena Alberty	5891	Henry A. Frye	6664
Katie L. C. Duncan	5917	William B. Taylor	6761
William F. Roberts	5945	Sallie Runels	6764
Leonidas Dobson	5997	Thomas M. Bird	6939
James L. Guinn	6053	Eugene L. Bracken	7008
Dora Lowery	6073	Elizabeth Latta	7058
Mary E. King	6157	Stephen M. McDaniel	7068
Maggie Sevier	6198	Rebecca Miller	7135
Thomas Johnson	6262	George W. Ritchie	7293
Eliche Mathis	6278	Fannie E. Cummings	7550
Rosanna Wood	6337	Nancy Hicks	7837
Edward W. Rackleff	6342	John S. Skillman	9993
Lou McCoy	6417	Willis Davis	10019
William Sullivan	6419	Albert Shepard	10106
Kizzie Linder	6429	Charles F. McGinnis	10121
Josephine Rider	6438	Hugh Campbell	10144
Francis A. Meek	6522	Mary J. Glass	10229

THE RECORDS FURTHER SHOW That the names of said persons appear upon the Cherokee authenticated roll of 1880; that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

IT IS THEREFORE ORDERED AND ADJUDGED That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird et al. vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

COMMISSIONER

Dated at Muskogee, Indian Territory,

this Jan. 10 1907

Cherokee D-780.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Charles F. McGinnis for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. H-8.

Cherokee D-760.

Muskogee, Indian Territory, February 20, 1905.

Charles F. McGinnis,

Turley, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1905, granting your application for the enrollment of yourself as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. E-18.

Register.

Cherokee
10121

Muskogee, Indian Territory, January 10, 1907.

Charles P. McGinnis,

Turley, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn. B

Commissioner.

(COPY)

Land
12493-1907.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. February 14, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

On January 19, 1907, the Office transmitted the decision of the Commissioner to the Five Civilized Tribes rel tive to applications for the enrollment of Frank Howard, et al, as citizens by intermarriage of the Cherokee Nation. The decision includes the applications of seventy-two persons found by the Commissioner to be not entitled to enrollment under the decision of the Supreme Court of the United States in the case of Daniel Red Bird, et al, against the United States.

It appears from the record in the case that the names of all the applicants are found on the authenticated 1880 roll of citizens of the Cherokee Nation, and the Office in transmitting the record did not consider this phase of the case. On January 31, the Department was requested to return the record in the case for further consideration by the Office. It was returned with Department letter of February 6, 1907, I.T.D. 1380.

With reference to the names of these applicants being on the 1880 roll Mr. Bixby says:

> THE RECORDS FURTHER SHOW: That the names of said persons appear upon the Cherokee authenticated roll of 1880; that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

As the applicants were not married to citizens by blood of the Cherokee Nation in accordance with the laws, usages and customs of the tribes prior to November 1, 1875, they are not entitled to enrollment, unless it be by virtue of their names being on the 1880 roll. By the provisions of section 21 of the Act of June 28, 1898 (30 Stat.L., 495), the roll of Cherokee citizens of 1880, not including freedmen, is confirmed, and the Commission is directed to enroll all persons whose names are found on that roll and their descendants born since the date of the roll. It is then provided that other rolls shall be examined and that the names of all persons found on the other rolls not placed thereon by fraud or without authority of law shall be enrolled.

The only question in the case seems to be whether a confirmation of this roll by Congress entitles a person whose name appears on said roll to enrollment as a citizen of the Cherokee Nation who would not otherwise be entitled to such enrollment.

The Supreme Court in the case of Nofire vs. the United States (164 U.S., 657) said:

(Syllabus)

The fact that a marriage license has been issued carries with it a presumption that all statutory prerequisites thereto have been complied with, and one who claims to the contrary must affirmatively show the fact.

.....

The evidence shows that the deceased sought, in his lifetime, to become a citizen of the Cherokee Nation, took all the steps he supposed necessary therefor, considered himself a citizen, and that the Cherokee Nation, in his lifetime, recognized him as a citizen and still asserts his citizenship. Held, that, under those circumstances, it must be adjudged that he was a citizen by adoption, and consequently that the jurisdiction over the offence charged is, by the laws of the United States and treaties with the Cherokee Nation, vested in the courts of that Nation.

In the case of Daniel Red Bird, et al vs. the United States the Supreme Court said:

The roll of 1880, made by the Cherokees, was a census roll, and its confirmation was not intended to create any rights which citizens of the Cherokee Nation had not before enjoyed, but merely to furnish the basis for making up the roll of citizens. Section 21 was in reality a statement that no previous act of Congress was intended to confirm any other roll of the Cherokee Nation.

.....

Section 31 of the Act of July 1, 1902, says that no person whose name does not appear on the roll made by the Commission to the Five Civilized Tribes "shall be entitled to in any manner participate in the distribution of the common property of the Cherokee tribe, and those whose names appear thereon shall participate in the manner set forth in this act." In other words, the roll must be made mf up of citizens who under the laws of the Cherokee Nation were entitled to participation in the distribution of the common property of the Cherokee tribes.

The concluding words of section 21, "with such intermarried white persons as may be entitled to citizenship under Cherokee laws," emphatically indicate that Congress had the Indian citizen in mind in all that went before and limited enrollment of white persons to such as might be entitled to citizenship under Cherokee laws.

From the foregoing quotations it is evident that the Supreme Court makes a distinction between citizens having political rights only and those having all rights, including the right to share in the distribution of the land and other property of the Cherokee Nation. This being true, it is evident that Congress did not intend that any person should be given the right to share in the property of the Cherokee Nation simply because his name was on some roll of the nation that had been confirmed by Congressional action unless it is there as a full citizen and not as a citizen with political rights only.

The Office is of the opinion that the persons whose names appear in the record enclosed are not entitled to enrollment as citizens by intermarriage of the Cherokee Nation, and the approval of the Commissioner's adverse decision is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAM-GH

D.C.10668-1907
I.T.D.3422-1907
LRS
Direct.

DEPARTMENT OF THE INTERIOR, LLB JFJr

WASHINGTON.

February 20, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On February 14, 1907 (Land 12493), the Indian Office transmitted your report dated January 10, 1907, in the matter of the applications for the enrollment of Frank Howard and seventy-two others as citizens by intermarriage of the Cherokee Nation, together with your decision, adverse to said applicants.

The Indian Office concurs in your recommendation. A copy of its letter is inclosed.

It appears that the names of said persons appear upon the Cherokee authenticated roll of 1880 and that they possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875.

In view of the decision of the Supreme Court of the United States dated November 5, 1906, in the case of Daniel Red Bird et al. vs. the United States, it is considered that your deci-

sion, adverse to these persons, is correct, and it is hereby affirmed.

The papers in the case and a carbon copy hereof have been sent to the Indian Office.

Respectfully,

Thos Ryan.

First Assistant Secretary.

1 inc and 3 to Ind. Of.

AFMc
2-21-07.

Cherokee 10121.

Muskogee, Indian Territory, March 7, 1907.

Charles F. McGinnis,

Turley, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, February 20, 1907.

Respectfully,

HLB. Commissioner.

Cherokee 241, et al.

Muskogee, Indian Territory, March 7, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is enclosed for your information a copy of Departmental decision of February 20, 1907, rejecting the applications for the enrollment of Frank Howard, et al., as citizens by intermarriage of the Cherokee Nation.

Respectfully,

MLB Commissioner.

Cher 10122

John G. Rogers

Trans. from D770

Cher 10122

(John George Rogers on Ibex Toil, Page 1046, No. 112, George Rogers,

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., November 8, 1900.

In the matter of the application for the enrollment of John George Rogers as a Cherokee by blood.

John L. Rogers, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A John L. Rogers.
Q Your age? A 55.
Q What is your post office? A Skiatook.
Q For whom do you apply now to have enrolled? A John George Rogers a nephew of mine.
Q What is the name of the father of this nephew? A William H. Rogers.
Q Is he living? A No, sir, he is dead.
Q What is the name of his mother? A Mattie Rogers.
Q Is she living? A No, sir, both are dead.
Q Was she a Cherokee by blood? A No, sir, a white woman.
Q Was the father of John George a Cherokee by blood? A Yes, sir, same as I am, about 1/4.
Q Have you any proof of the marriage of John George's father to his mother? A No, sir, not any at all.
Q That will be necessary? A Well I didn't get anything.
(William H. Rogers on 1880 roll, page 304, No. 2155, W. N. Rogers, Delaware district.)
Q How old is this boy? A He is 17 years old I guess.
Q Did they have an elder child than George? A Yes, sir, they had Sarah Dona.
Q You don't know whether he was on the 1896 roll or not? A I think he was at the Asylum.
(John George Rogers on 1896 roll, page 1046, No. 113, George Rogers, Orphan Roll, Saline district.)
Q Is this child alive and living with you at this time? A Yes, sir, he is living.

The name of John George Rogers is found upon the census roll of 1896, under the name of George Rogers. The name of his father, William H. Rogers, is found upon the authenticated roll of 1880. Satisfactory proof of residence is made, and it is averred that the said John George Rogers is the lineal descendant of William H. Rogers, whose name appears upon the authenticated roll of 1880, and his wife Mattie, a white person. No proof is submitted to the Commission as to the marriage of the father of said John G. Rogers with his wife Mattie, consequently final judgment as to the enrollment of the said John George Rogers will be suspended, awaiting proof of marriage between his father, William H. Rogers, and his mother, Mattie.

Bruce G. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce G. Jones

Sworn to and subscribed before me this the 9th of November, 1900.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 9 1900

ACTING CHAIRMAN.

COUNTY SCOOPER.

Statement of Applicant Before Dawes Commission.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV - 9 1900 1900.

Name [illegible]

District [illegible] Year [illegible] Page 176 No. 15

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Names of Children:

[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age
[illegible]	Dist.	Year	Page	No.	Age

[illegible]

[illegible]

Supl.-C.D.#770.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of JOHN G. ROGERS as a citizen of the Cherokee Nation:

The applicant's guardian, John L. Rogers, was notified by registered letter February 18, 1902, that the application of his ward, John G. Rogers, for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of February, 1902, and that on said date he might appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting the application of said John G. Rogers. He was also requested to supply the Commission with evidence of the marriage of the parents of the applicant. Receipt has been acknowledged of Commission's letter. The applicant having this day, to-wit: the 8th day of March, 1902, been called three times and failing to respond, the case is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

Mr. J. C. Starr, Cherokee Representative, present.

Commissioner.

J.O.R.

Department of the Interior,
Commission to the Five Civilized Tribes,
White Oak, I. T., June 3, 1902.

In the matter of the application of J. George Rogers for enrollment as a citizen of the Cherokee Nation: he being sworn and examined by ~~Mr~~ Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A J. George Rogers.
Q How old are you? A Twenty years old.
Q What is your postoffice? A White Oak.
Q In what district do you live? A Delaware.
Q Do you claim to be a Cherokee by blood? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes sir.
Q Your father and mother are dead are they? A Yes sir.
Q Give me the name of your father. A William Nelson Rogers.
Q How long has he been dead? A About fourteen years.
Q Was your father a white man or Cherokee? A Cherokee by blood.
Q Give me your mother's name? A Samantha Frances Rogers.
Q Was she a Cherokee or white woman? A White woman.
Q How long has she been dead? A About 16 years.
Q Was your father ever married before he married your mother? A Yes sir.
Q How many times? A Once.
Q What was the name of that wife? A Sarah.Washington.
Q Was she dead when he married your mother? A Yes sir.
Q Was your mother married before? A No sir.
Q When were they married? A April 2, 1880.
Q Did you ever hear of your father living anywhere except in the Cherokee Nation? A No sir.
Q Who brought you up after your father and mother died? A Jack Rogers.
Q You always went by the name of Rogers then? A Yes sir.
Q Did you always live in Delaware? A No sir, I lived in Coowee-scoowee about eight or ten years.
Q The last eight or ten years? A Yes sir. I was in the orphan school on Grand River in 1896.
Q What is the "J" in your name for? A John.
Q John George? A Yes sir.
Q They generally call you George though? A Yes sir.
Q Who was your guardian? A Jack Rogers until a few years ago, and then the court appointed Tom Gamble my guardian; he was appointed two years ago last November.
Q Were you ever at the Cherokee orphan asylum? A Yes sir.
Q How long did you stay there? A About five years.
Q When did you leave there? A I left there in '95 or '96: in November '96 I think it was on the 14th day of November: it was a year before Vallego Bose was throwed out.
Q Have you ever been on any roll? A On the '96 I think.
Q Did you draw strip money? A Yes sir.

Elizabeth Hampton, being sworn and examined by Commissioner Breckinridge, testified as follows:
Q Give me your full name. A Elizabeth Hampton.
Q How old are you? A If I live to see next August I will be 87 years old I reckon.
Q How long have you lived in the Cherokee Nation? A Ever since it was first started up, I was one of the first anyone that came here.
Q What is your postoffice? A White Oak.
Q Do you know this man, J. George Rogers? A Well sir ever since he was two months old. I haven't known him since he got grown all the time up until he got a big boy I knowed him I knowed his father and mother - before his father was married.
Q Give me his Cherokee name? A I never heard anything but George Rogers.

Q Was that a nick-name they called him? A I reckon that was part of his name.
Q Did you ever hear him spoken of as William H. Rogers? A Not that I ever heard of.
Q Just Connor? A Yes sir, his father and stepmother call him that.
Q And this young man's mother what was she called? A Samantha, she had a big long double name and I couldn't keep up with it.
Q Well this young man's father and mother has been dead a good long time? A Yes sir, quite a while, I can't tell you how long, they have been dead a long time.
Q Do you know whether this man was ever at the Cherokee orphan asylum? A Yes sir.
Q Has he always lived in the Cherokee Nation as far as you know? A Always, as far as I know.
Q Was his father a recognized Cherokee citizen? A Yes sir.
Q About how much Cherokee blood did he have in him? A Pretty near all Cherokee.
Q And his mother was a white woman I believe? A Yes sir.
Q Did you know they lived together as husband and wife? AYes sir.
Q Always recognized as lawfully married? A Yes sir, always recognized as man and wife. If they hadn't been they wouldn't have lived together.
Q They lived together until he died? A No, until she died, she died first.

The applicant applies for the enrollment of himself as a Cherokee by blood; it seems that he is the son of a white woman who was lawfully married to a Cherokee citizen and that he has been an orphan for some fourteen years or more and was an inmate of the Cherokee orphan asylum for five years ending 1895; at present however, the applicant cannot be identified upon any roll though he states he was enrolled in 1896 and 1894; neither can his deceased father or mother be identified on any roll. He appears to have lived in the Cherokee Nation all his life. He will now be listed for enrollment as a Cherokee by blood on a doubtful card awaiting a further examination of the record in his case.

(Upon examination of the roll of 1880 at the office of the Commission, the applicant's father is found thereon on page 304, No. 2156 in Delaware District as W. H. Rogers.)

Applicant recalled: Have you an uncle named Jack Rogers? A Yes sir.
Q Is that his full name? A John Lewis is his full name.
Q Where does he live? A At Collinsville.
Q Was he your father's brother? A Yes sir.
Q You haven't got any aunts? A No sir, none on my father's side.

The undersigned, being duly sworn, states that as stenographer to the Commission o the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 28th day of June, 1902.

Notary Public.

RESIDENCE: Tonawa

POST OFFICE: White Eagle, Okla.

Nation. Roll.

CARD NO.

FIELD NO.

Dawes' Roll No.	NAME	Relation to Person first named	AGE	SEX	BLOOD	TRIBAL ENROLLMENT. Year	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father.	Year.	District.	Name of Mother.	Year.	District.
	1 Logan Pettigrew		20	M.					William Gerard Pettigrew			Dismuth Rogers Frazier	Dead	
	2													
	3													
	4													
	5													
	6													
	7													
	8													
	9													
	10													
	11													
	12													
	13													
	14													
	15													
	16													
	17													
	18													

Enrolled.

Tonawa Okla

Cherokee D 1326.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., November 5, 1902.

In the matter of the application of J. George Rogers for enrollment as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL PROCEEDINGS.

NANCY WHITE, being sworn, testified as follows:

By the Commission,

Q What is your name, madam? A My name at present?
Q Yes. A Nancy White.
Q How old are you? A Well, I was born in '61.
Q What is your present postoffice address? A Fairland, I. T.
Q Are you a recognized citizen of the Cherokee Nation? A My husband is a citizen by blood; I am an adopted citizen.
Q Do you know a young man by the name of J. George Rogers, who is an applicant for enrollment as a citizen by blood of the Cherokee Nation? A Yes, sir.
Q How long have you known this young man? A I have known him ever since his birth.
Q Ever since his birth. What was his mother's name? A His mother's name before she was married?
Q No, at his birth. A Samantha Frances Rogers.
Q Was Samantha Frances Rogers a white woman or a citizen by blood of the Cherokee Nation? A She was a white woman, adopted citizen.
Q What was the name of the father of this young man? A William Nelson Rogers.
Q Was he a citizen by blood of the Cherokee Nation, recognized as such? A Yes, sir.
Q Are the parents of this young man both dead? A Yes.
Q How long have they been dead? A Well, his mother died when he was about six years old and his father lived sometime after, two or three years, I don't know just how long.
Q Where did his mother die? Where were they living when she died?
A She was living there about a mile, a little over a mile, from Afton.
Q From Afton, Cherokee Nation? A Yes, sir.
Q Where was the father of this young man living when he died?
A He was living out there not very far from Bluejacket somewhere.
Q Bluejacket, Cherokee Nation? A Yes, sir.
Q Were the father and mother of J. George Rogers, this applicant, living in the Cherokee Nation at the time this young man was born?
A Yes, sir.
Q How long did you know the parents of this boy before he was born?
A I knew his mother all her life, and I had known his father about three years.
Q Is his mother any relation of yours? A She was a half sister to me.
Q She was a half sister of yours? A Yes, sir.
Q Now, do you know anything about William Nelson Rogers and his wife, Samantha F. Rogers, being married, to your own knowledge?
A Yes, sir, I was present when they were married.
Q You were present and saw the ceremony? A Yes, sir.
Q Do you know about when they were married? A The 2nd day of March, 1881, to the best of my remembrance.
Q Where were they married? A They were married in the Cherokee Nation, Delaware District.

Q Whose house? A My husband's house.
Q What's your husband's name? A J. E. White.
Q J. E. White's house? A Yes, sir.
Q Now, who married them, do you remember? A Well, to the best of my remembrance his name was Hastain.
Q What was he, a Cherokee official or was he a preacher? A He was a preacher, I don't know whether he was a Cherokee by blood or not.
Q Where is Hastain now? A I don't know.
Q Do you know whether he is living or not? A No, sir, I don't. He was an old man then; I don't know whether he is living or not.
Q Did William N. Rogers and his wife, Samantha F. Rogers, live together from the time they were married until Samantha F. Rogers died? A Yes, sir.
Q They were not separated during her lifetime? A Never were separated during her lifetime.
Q And this boy, George Rogers, was born while they were living together as man and wife, was he? A Yes, sir.
Q Do you know who the father of William N. Rogers was? A His name was George Rogers.
Q George Rogers? A Yes, sir.
Q Was he a white man or a Cherokee, do you know? A He was a Cherokee.
Q Do you know what his mother's name was? A No, sir, his mother was dead before ever I saw him.
Q Well, now, has this boy, J. George Rogers, lived in the Cherokee Nation from the time of his birth up to the present time? A Why, yes, sir, he has never had no other home.
Q He has never lived out of the Cherokee Nation at all, has he? A No, sir, not that ever I knew of.

By T. J. Gambill, Guardian of applicant,

Q Was you present when he was born? A Yes, sir.
Q I will ask you if you know, Mrs. White, after his parents' death, what his uncle done with him? A What his uncle done with him?
Q Yes. A I heard they took him down there and put him in the Osage Mission, him and his half sister until her death, and then took him and put him in the orphan asylum.
Q Where? In the Cherokee Nation? A Yes, sir.

By the Commission,

Q Where is this boy now? A Why, he's up about Fairland now.
Q Who's he living with? A He married here the other day, a week or so ago.
Q About how old is he now? A Well, to the best of my remembrance he was born in '82. '82 or '83, I don't remember just exactly.
Q Making him about twenty years old? A Yes, sir, twenty or twenty-one years old this spring.

J. E. WHITE, being sworn, testified as follows:

By the Commission,

Q What is your name? A White is my name. J. E. White is the way I sign my name.
Q How old are you, Mr. White? A I am about fifty years old.

Q What is your postoffice? A Fairland.
Q Are you a recognized citizen by blood of the Cherokee Nation?
A Yes, I am a recognized citizen by blood and an old settler.
Q Do you know a young man, J. George Rogers, who is an applicant for enrollment as a citizen by blood of the Cherokee Nation?
A Yes, sir.
Q How long have you known this young man? A I have known him all his life.
Q What was his father's name? A Why, I called him Con; his right name was William Rogers, I forget the other part of it, and they called him Con for short just the same as I call this kid Toots. Con Rogers we called him but William and something else was his name.
Q William Nelson? A Yes, sir.
Q Was William Nelson Rogers a Cherokee by blood? A Yes, and an old settler.
Q Do you know what his father's name was? A I don't know no double name for his father, his name was George Rogers, we always called him.
Q He living or dead? A He's dead.
Q Wad he a Cherokee by blood? A Yes, sir, he's a Cherokee and an old settler.
Q What was the name of the mother of William N. Rogers? A Why, I raised her.
Q I am talking about the father of this boy, about who was the father of William N. Who is the mother of William N. Rogers? A That I don't know. His mother was dead when I knew anything about her.
Q You don't know her at all? A No, sir.
Q You don't know whether she was a white woman or Cherokee, do you?
A I always heard she was a Cherokee.
Q How much Cherokee blood do you think William N. Rogers had in him?
A He must have been half at least.
Q Half blood? A So far as to look at him.
Q Who was the mother of this boy, J. George Rogers? A This young George?
Q Yes. A That was Samantha Rogers, her double name, I forget that. Her first name was Samantha.
Q Was Samantha a white woman or was she a Cherokee by blood?
A She was a white woman.
Q She did not vlaim any Cherokee blood? A No, sir.
Q And her parents were both non-citizens? A No, her mother was a citizen at that time of the Cherokee Nation but she was a white woman adopted.
Q Now, do you know anything about the marriage of Samantha F. Rogers and William N. Rogers? A Yes, sir, they were married at my house, married in the Cherokee Nation, northeast corner, seven miles east of Fairland.
Q Were you present at the marriage ceremony? A Yes, sir.
Q And saw them married? A Yes, sir.
Q Who married them, Mr. White? A A preacher by the name of Hastain preaching through the country. An old fellow.
Q Did he give them a marriage certificate? A I don't know. He told them there he would send them a marriage certificate, but whether he ever did or not, I don't know.
Q Do you remember what year they were married in? A Why, it was, let's see, it must have been in '81 or '2, somewhere along there. I could not remember just exactly.
Q Do you know anything about the birth of this boy, George Rogers?
A Yes, sir, I went after the doctor when he was born.

Q You went after the doctor? A Yes, sir.
Q How long after his birth did his mother live? A Well, I could not tell you exactly about that; it must have been somewhere about three or four years. He was a boy like that. (Indicating.)
Q How long did his father live after this boy was born? A I can't tell you that exactly, though he lived sometime after the death of his mother. He moved. He owned a place by Fairland and he moved to Bluejacket, and there he died -- up there at Bluejacket.
Q During the lifetime of William Nelson and his wife did they live together as husband and wife all the time from their marriage until she died? A Yes, sir.
Q Was this boy, J. George, born while they were living together as husband and wife? A Yes, sir.
Q Now, Mr. White, do you know whether or not William N. was ever recognized as a Cherokee by the tribal authorities? A Oh, yes, he was an old settler of the Cherokee Nation; he was recognized in every respect.
Q Is William N. on the old settlers' roll? A Yes.
Q Is he on the 1880 roll? A I suppose he is on every one. You could go and see. He is on the old settler one, I know.
Q What District, Mr. White, did William N. Rogers live in when he died? A When he died? I declare, let me see, that was in --
Q It must have been about '87 or '88? A It is at Bluejacket, up near Bluejacket.
Q Where did he live up to the time he was married? A Rogers? Prairie City, Delaware District, Cherokee Nation. That is, he lived there up until he moved to Bluejacket. He died at Bluejacket.

William N. Rogers, the father of the applicant is identified on the 1880 roll, page 304, No. 2155, Delaware District, as W. N. Rogers.

Q Had Mr. W. N. Rogers been married before he married Samantha Rogers? A Yes, sir.
Q What was his first wife? A His first wife was a Delaware Indian, citizen of the Cherokee Nation.
Q Was she living or dead when he married Samantha? A She was dead, this girl was great big, too.
Q Had Samantha ever been married before she married this man?
A No, sir.
Q Did Mr. Rogers have any children by his first wife? A One.
Q Do you remember its name? A Let's see --
Q Was it called Sarah or Sallie? A We never knew whether it ever went by a nickname or not. My wife can tell you.
Q Go ask her. A Sarah Caledonia, she says.

This child is identified on the 1880 roll as Sarah D. Rogers, two years old, with W. N. Rogers.

Q What was his uncle's name? A J. George Rogers.
Q His uncle's name was Jack Rogers? A Yes, sir.
Q Where did the oldman Jack live? A He lived up here at Bluejacket, Cooweescoowee District.

The applicant, J. George Rogers, is identified on the 1893 Cherokee Strip payment roll, page 287, No. 3648, Cooweescoowee District, as George Rogers, in the family of Jack Rogers.

Q Who did you say this boy lived with after the death of his father, Mr. White? A Jack Rogers.
Q What relation was he to Jack? A Jack was his uncle.
Q Mr. White, did you say that this boy was afterward put in the orphan asylum by his uncle? A That's my understanding; that's where his uncle told me he was.

The applicant is identified on the 1896 Cherokee Census roll, page 1046, No. 113, orphan roll, Saline District, as George Rogers.

It appears that the applicant has already been listed for enrollment on Cherokee card, Field No. D 770.

NANCY WHITE, being recalled, testified as follows:

By the Commission,

Q What did you say was the name of the mother of John G. Rogers or J. George Rogers? A Samantha Frances Rogers was her name at the birth of the Child.
Q Was she ever known by any other name? A After she was married to J. George's father he called her Mat. Just called her that.

Ratta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Ratta Chick

Subscribed and sworn to before me this 5th day of November, 1902.

B A Jones
Notary Public.

Cherokee D-770.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John George Rogers as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 9, 1900, John L. Rogers appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of his nephew, John George Rogers, an orphan, as a citizen by blood of the Cherokee Nation. On June 3, 1901, John George Rogers himself appeared before the Commission at White Oak, Indian Territory, and again on November 5, 1902, at Muskogee, Indian Territory, and submitted evidence in the matter of the application for his enrollment as a citizen by blood of the Cherokee Nation.

The evidence in this case shows that John George Rogers is the son of William M. Rogers, a Cherokee by blood, who is identified on the Cherokee Authenticated Tribal Roll of 1880, and Samantha F. Rogers, a white woman. Upon an examination of the tribal rolls of the Cherokee Nation in the possession of this Commission, John George Rogers is identified on the Cherokee Census Roll of 1883, on the Cherokee Pay Roll of 1867, on the Cherokee Pay Roll of 1886, on the Cherokee Pay Roll of 1890, and on the Cherokee Census roll of 1896.

The evidence further shows that the said John George Rogers has lived in the Cherokee Nation all his life, and was a resident thereon on the date of this application.

It is, therefore, the opinion of this Commission that John George Rogers should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495); and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 28 1903

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
C. R. BOCKINBRIDGE
ALEXANDER L. ARLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory. February 18, 1902.

Mr. John L. Rogers,

Skiatook, Indian Territory,

Sir:-

You are hereby notified that the application of John G. Rogers

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the eighth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with the certificate of marriage of the parents of John G. Rogers.

Cherokee D-770
Peoples.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Muskogee, Indian Territory, May 29, 1902.

Mr. John L. Rogers,

Skiatook, Indian Territory.

Sir:

In the further consideration of the matter of the application for the enrollment of John George Rogers as a citizen of the Cherokee Nation it is important that you supply the Commission with the license and certificate of the marriage of the parents of John George Rogers, or, in the event that said license and certificate, or certified copies thereof, cannot be obtained, to submit further evidence to the Commission, before June 13, 1902, showing that the parents of John George Rogers were lawfully married.

It is also important that you submit further evidence regarding the residence of John George Rogers in the Cherokee Nation.

Yours truly,

Commissioner in Charge.

In answering refer to
Cherokee D 770.
Register.

COPY

Cherokee L-770.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of John L. Rogers for the enrollment of his nephew, John George Rogers, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. E-7.

Cherokee D-770.

Muskogee, Indian Territory, February 20, 1903.

John L. Rogers,

Skiatook, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting your application for the enrollment of your nephew, John George Rogers, as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. E-22.

Register.

Cher 10123
Nancy Mayfield

Trans. from D775

Cher 10123

[illegible]

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CLAREMORE, I.T., NOVEMBER 10th, 1900.

IN THE MATTER OF THE APPLICATION OF Francis Marion Mayfield for the enrollment of himself, wife and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Francis Marion Mayfield.
Q How old are you? A Thirty three.
Q What is your Postoffice address? A Oologah.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A By blood.
Q When do you want to enroll? A Myself and family.
Q What is the name of your wife? A Nancy Mayfield.
Q Is she a citizen by blood? A No sir.
Q Have you any certificate of marriage to her? A No sir; I have one not; It was failed to be recorded: I have proof.
Q What was her name when you married her? Haggarty.
Q When did you marry her? A In 1887.
Q Where? A Cromtown.
Q Is she a white person? A Yes sir.
Q What are the names and ages of your children? A John Thomas.
Q How old is he? A Twelve.
Q What is the name of the next one? A Elizabeth.
Q How old is she? A Ten.
Q What is the name of the next one? A Fred.
Q How old is he? A Eight years old.
Q Next child? A Julia.
Q How old is she? A Six years old.
Q Next one? A Frank.
Q How old is he? A Four past.
Q Next child? A Leonard.
Q How old? A About a year and a half old.
Q Any more? A No sir.

(1896 Roll, Page 220, #3428, Frances Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 345, #676, Nancy Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 220, #3429, John T. Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 220, #3430, Lizzie Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 220, #3431, Fred Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 220, #3432, Julia Mayfield, Cooweescoowee Dist)
(1896 Roll, Page 220, #3433, Frank Mayfield, Cooweescoowee Dist)

The applicant presents a certificate of admission to Cherokee citizenship issued from the office of the Commission on citizenship at Tahlequah, on the 16th day of February, 1880, certifying that among others, one Francis M. Mayfield was admitted to Cherokee citizenship on the said date, said certificate being signed by William P. Ross, Chairman, E. C. Boudinot, Clerk of the Commission, approved and countersigned by Edmund Smith, Assistant Acting Secretary of the Principal Chief, under the great seal of the Cherokee Nation.

Q Are you the identical Francis M. Mayfield mentioned in this certificate? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I have been here ever since sometime in 1879.
Q Lived here before you were admitted? A Yes sir.
Q Have you lived here ever since? A Yes sir.
Q You were married in 1887? A Yes sir.
Q Who married you? A M. A. Smith.
Q Where is he? A In Mississippi somewhere.
Q Where were you married? A At Cherokee.
Q Didn't you get a certificate of marriage? A No sir; the law did not require me to get it.
Q Have you any proof of marriage? A I have an affidavit here, and have one witness here in the house.

Ella Bray being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Ella Bray.
Q How old are you? A Twenty four.
Q What is your P.O. office? A Colcagah.
Q Do you know the applicant Francis M. Mayfield? A Yes sir.
Q Do you know his wife? A Yes sir.
Q Do you know whether they were married? A Yes sir.
Q How do you know? A I saw them married.
Q About when was that? A In 1887, I believe.
Q Is his wife living? A Yes sir.
Q Have they been living together as man and wife continuously since that time? A Yes sir.
Q What relation are you to him? A I am his wife's sister.

By Mr. W. W. Hastings, Cherokee Representative:

Q Was it in the Spring or Summer that they were married?
A It was in the Fall.
Q What time in the Fall? A November 7th, I think it was.

Applicant recalled, and questioned by Mr. W. W. Hastings, Cherokee Rep. testified:

Q Are you positive of the exact date of your marriage to your wife
A I am pretty sure of it; yes sir.
Q When was it? A The 7th of October, 1887.
Q You think then it was not on the 7th day of September? A No sir.
Q What is the name of your father? A Elijah Mayfield.
Q What is the name of your mother? A She was a Brackett: That was her maiden name.
Q Is she kin to these Brackets around Salisaw? A I do not know.
[redacted]
Q Do you not? Do you know of any of your relatives in this country? A Yes sir; I have an uncle.
Q Do you get your Cherokee blood through your father or your mother? A My mother.
Q Through the Brackett side? A Yes sir.
Q Where were you born? A In Tennessee.
Q Was your mother's father, or her mother a Cherokee?
A It was her mother.
Q What was her name? A Her mother's name was to the best of my knowledge Susie Wilson.
Q You did not know your grand mother? A No sir.
Q Where did she live? A I am not told you that.
Q You were not present when you were admitted A No sir.
Q Was your father living when you were admitted? A Yes sir.
Q He has since died? A Yes sir.
Q He attended to this business? A Yes sir.
Q Do you not know what witnesses he had there to prove your citizenship? A No sir; not correctly.
Q Do you know any of them? A He had Jim Leach there for one.
Q Any one else that you remember? A No sir; I do not remember.
Q By Mr. Hastings: The Cherokee Nation reserves the right here upon this case, if it desires, upon investigation.

By the Commission:

The name of Francis M. Mayfield appears upon the census roll of 1896, and he presents satisfactory proof of his admission to Cherokee citizenship, more particularly described in the testimony, said certificate certifying that he made application to the citizenship Committee on October 20th, 1887; the certificate is signed on the 16th day of February, 1888; he swore that he was married to one, Nancy Haggerty, a non citizen, and other proof of same, said marriage having been solemnized on November 7th, 1887; the names of his children, John L., Elizabeth, Fred, Julia and Frank appear upon the census roll of 1896, and he presents satisfactory proof of birth, as to his youngest child, Leonard Mayfield, whose name does not appear upon the census roll of 1896. Being fully identified, and

not appear upon the census roll of 1896. Being fully identified, and having made satisfactory proof of residence, the said Francis H. Mayfield and his-said children will be listed for enrollment as Cherokee citizens by blood.

From the fact that the certificate of admission to practice develops that his application was filed on the third day of October, 1887, and the certificate presented is signed by the authorities of the Cherokee Nation on the 6th day of February, 1888; and that he was married on November 7th, 1887, to his wife, who was a new citizen, final judgment as to the enrollment of his wife, Nancy Mayfield, will be suspended, and he name will be placed upon a doubtful cards.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before
me this 12th day of November, 1906.

COMMISSIONER.

BES.
1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1900 ..... 1900.

Name ..... Calajah .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ... Mother's citizenship Unidentified

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Mamie Mayfield

District COOWEESCOOWEE. Year 1896 Page 313 No. 676

Citizen by blood No Mother's citizenship .....

Intermarried citizen Yes .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Wife of James M. Mayfield

Supl.-C.D.#775.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of NANCY MAYFIELD as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 18, 1902, that her application for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of February, 1902. Receipt has been acknowledged of Commission's letter, and the applicant this day, to-wit: the 8th day of March, 1902, appears by her husband.

Mr. J. C. Starr, Cherokee Representative, present.

FRANCIS M. MAYFIELD, being duly sworn, testified as follows on part of applicant:

COMMISSION:

Q What is your name? A Francis M. Mayfield.
Q What is your name? A 37 past.
Q What is your post office? A Oolagah.
Q Are you a husband of Nancy Mayfield who is an applicant for enrollment before the Commission as a citizen of the Cherokee Nation? A Yes, sir
Q I s there any statement you desire to make relative to the application of your wife? A No, sir, none only what I have already produced.
Q You submit the case to the Commission for final consideration?
A Yes, sir.

Commission: The applicant by her husband and the Representative of the Cherokee Nation present, submit the case. The same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this March 10, 1902.

Commissioner.

Muscotah K. T. October 8th 1900.

Indian Territory }
Northern District } ss

Personally appeared before me J. B. Morrows a Notary Public in and for said district, this day, Alice Willis aged 23 yrs. of age, to me well known, who being duly sworn, states that she was present at and witnessed the Marriage Ceremony which united in marriage Frank Mayfield and Nancy Haggerty at the residence of a Minister of the Gospel whose name she cannot recall, in the town of Choteau, Cherokee Nation Indian Territory on October 7th 1887.

Witness my hand this October 8th 1900.

Alice Willis

Subscribed and sworn to before me this Eighth day of October 1900.

J. B. Morrows
Notary Public.

My Commission Expires
September 9, 1902.

Affidavit of
Alice Vallis, relative
& marriage of Frank
Mayfield by Nancy Haggerty

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 14 1902

ACTING CHAIRMAN

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 9th, 1902.

In the matter of the application of Nancy Mayfield for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation.

Supplemental to D-775.

NANCY MAYFIELD, being duly sworn, testified as follows:
Examination by the Commission.

Q. State your full name? A. Nancy Mayfield.
Q. How old are you? A. 33.
Q. What is your post office? A. Gelagah.
Q. You are a white woman? A. Yes, sir.
Q. You are an applicant to be enrolled as a citizen by intermarriage, are you? A. Yes, sir.
Q. Give me the name of the husband through whom you claim citizenship? A. Francis M. Mayfield.
Q. Is he your present husband? A. Yes, sir.
Q. Were you ever married before? A. No, sir.
QQ Was your husband ever married before he married you?
A. No, sir.
Q. How long has your husband lived in the Cherokee Nation?
A. Ever since he was 8 or 10 ye ars old. I don't know just exactly.
Q. When were you married? A. We was married 15 years ago.
Q. Have you been living with your husband in the Cherokee Nation ever since? A. Yes, sir.
Q. Never been separated? A. No, sir.
Q. Never made your home anywhere else? A. No, never been out of the nation.
Q. Did you have a marriage certificate? A. No, sir.
Q. Who married you? A. There was a preacher married us.
Q. What is his name? A. Williams.
Q. Is he alive? A. I don't know whether he is or not2.
Q. Any one here that knows that you were married? A. Not here at present. We have furnished the Commission with two witnesses.
Q. You have furnished the Commission with two witnesses?
A. Yes, sir.

IIII

Cherokee D 775

CERTIFICATE OF ADMISSION TO CHEROKEE CITIZENSHIP.

OFFICE OF COMMISSION ON CITIZENSHIP

TAHLEQUAH, CHEROKEE NATION/

TO ALL WHOM IT MAY CONCERN --GREETING.

THIS IS TO CERTIFY, That the following named, to-wit: Francis Marion Mayfield age twenty years, John Thomas Mayfield age three months, did pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee citizenship," make such application to and before said "Commission" on the 3rd day of October 1887; that the proof submitted by the above named Francis M. Mayfield in support of the said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of sa id Act of the National Council and of the amendment thereto, dated February 7th, 1887, and that by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said Act, the above named persons, (applicants for citizenship) are, from this the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Article 1, of the Constitution of the Cherokee Nation upon the terms and conditions set forth in the act of December 5th, 1886, entitled "AN ACT CREATING A COMMISSION ON CITIZENSHIP", to-wit:

"That all persons to whom Certificates of Citizenship shall be issued by the decree of the Commission created by this Act, shall be required as a condition precedent to the delivery of said certificates to return to, and permanently locate within the limits of the Cherokee Nation, and it shall be further the duty of all such persons to enroll their names, with the names of their families (if any such), at the date of their arrival within the limits of the Nation, in a book to be kept for that purpose in the office of the Principal Chief, and no certificate of Citizenship issued by said Commission shall entitle an applicant for admission into the Nation for (not) a longer period than one year from its date, who shall fail to become a bona fide citizen within that period."

And this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to said persons accordingly.

In Witness Whereof, I hereunto sign my name, as Chairman of the Commission, on this the 14th day of February 1889.

Will P. Ross
Chairman Com. on Citizenship.

Attest S E A L E.C. Ross Clerk Com. on Citizenship.

Approved and endorsed:

Samuel Smith
Principal Chief, C. N.

Henry Kiffert, Asst. and Acting. Asst. Ex. Secy.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the certificate on file in this office.

Lilla Hitching

Cherokee D-775.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
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In the matter of the application for the enrollment of Nancy Mayfield as a citizen by intermarriage of the Cherokee Nation.
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D E C I S I O N.

The record in this case shows that on November 10,1900, Francis M. Mayfield appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment, among others of his wife, Nancy Mayfield, as a citizen by intermarriage of the Cherokee Nation. The other parties to the application are differently classified, and are not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 8, 1902, and again on October 7, 1902.

The evidence shows that the said Nancy Mayfield, a white woman, was lawfully married on October 7, 1887, to Francis M.Mayfield, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on February 14, 1889. The Cherokee Supreme Court, in the cases of the Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson, held that a white woman, married to a Cherokee Indian at the time of his admission to citizenship, acquires thereby the rights of Cherokee citizenship. The said Nancy Mayfield is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Nancy Mayfield has lived continuously with her husband, Francis M. Mayfield, in the Cherokee Nation since her marriage in 1887, up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Nancy Mayfield should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898,(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 30 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A Edens	62	Joseph P Willis	584
Adda B Ward	69	James T Miller	598
Samuel G Victor	73	George A. Waters	632
Sarah M Thomas	109	Jenette Messer	666
William B Watson	165	Joseph A Patton	679
William H Ford	173	Benjamin G Holland	763
Thomas N Wilson	185	William Gordon	798
Elsie Ann Smith	206	Maggie Patterson	804
Susan M Perry	208	Martha M Bruner	832
Gertrude Palmer	224	Emma Morris	842
Hugh Wilks	229	Susie Fivekiller	857
Mary A Wilkie	248	John F Carden	881
John W Thurman	288	William H Burrow	907

Mary Pettit	977
Bettie Mitchell	985
John J Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J Keys	1149
Joseph M Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D Thompson	1247
Charles M Trammel	1264
Flora Carble	1265
William H Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Largo	1299
William M Oliver	1333
Andrew J Couch	1340
Lina Hyles	1347
Mary M Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Sealadt	1418
Lawrence G. Faulkner	1433
Sarah A Holt	1449
Jennette Polcrat	1492
Ellen Sealadt	1508
Charles W Nettles	1509
Lena Settingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A Saterfield	1529
Laura J Jeremiah	1540
Etta Hicks	1540
Mary A B McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H Holder	1610
Mary M Burr	1612
Thomas E. Bonham	1644
Florence Hendrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1760
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Burl Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J Flying	2172
Thomas J Measles	2192
Julia Coudy	2215
Sarah Crutchfield	2224
Henry E Lee	2251
Sarah Gritts	2256
John A Madden	2261
Henry C Pennel	2271
Matilda S Cleland	2282
Dona A Frazier	2312
Laura B Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2800
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2983
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A J Trotter	3257
Albert P. Goforth	3298
Anna B Martin	3307
William Brown	3344
Jennie B Bluejacket	3345
William Little	3377
Julia M A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H Parkison	3990
Seth R Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pigrow L Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Boling	4676
Francis A Neilson	4681
John [illegible] Smith	4689
Rufus S Steward	4691
John L Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Bean	4804
William J Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B Burgess	5236
John E Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H Wells	5261
John T Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5325
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5356
Charles Horton	5390
James W Goddard	5417
Dora Cox	5425
Nannie G Alberty	5438
Sallie Ward	5455
William H Sutherlin	5484
Lizzie Hall	5487
Cyrus B Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D Miller	5496
Emberson M Arnold	5498
Stella Henry	5499
William E Oneal	5506
John M Sharp	5509
John L Davis	5514
Sarah E Downing	5518
Samantha C Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W Hallford	5535
Phoebe Coker	5537
Anthony K Douglas	5538
Joseph H Johnson	5541
Harvey O Riggs	5547
Alice Glass	5551
Addison Reeves	5566
Alice Cuts	5572
Julia Kidd	5575
William R Greer	5576
Rosa M Sexkiller	5581
Nancy Inlow	5587
Daisey H Owen	5589
Annie R C Owen	5590
Jesse McKnight	5602
Cicero J Strange	5610
Henry Westenhaver	5611
Emma H Roach	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shimp	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Seigel	5660
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Joseph W Mounce	5970
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Harrison L Hughes	5978
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Lewis M Payne	5987
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Posy F Buckner	6005
John A Moreland	6010
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Ida Beck	6029
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George C Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G Langley	6038
John T Ham	6042
Mary L Jordan	6048
John W Bradshaw	6076
James L Dean	6079
Amanda J Thompson	6082
Malissa Hubbard	6089
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Emmet Carlile	6326
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Columbus N Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E McLain	6508
Mary A Brown	6517
Marion M Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A Mayfield	6580
Silas A Bryan	6581
William S Martin	6585
Emma J Thompson	6589
Lydia McDaniel	6593
David W Lamb	6595
Gus R Hart	6603
Dora Phillips	6632
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Rosa Phillips	6723
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Elizabeth Sanders	6745
William T Neff	6747
William R Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A McDonald	6783
Rosa B Willis	6785
Daniel Hubbard	6787
Mary R Tadpole	6801
Magnus A McSpadden	6811
Sarah F Pathkiller	6824
Clora Twist	6845
Mattie M Welch	6846
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John S Hyatt	6853
Jefferson K Tyner	6855
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James B Deatherage	6901
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Frances E Tefee	6961
James M Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
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William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M Roberson	7031
Charles Morris	7043
Minerva J Trent	7051
John H Keith	7078
Katie E Ratley	7080
Etta Patrick	7081
Nannie Martin	7089
Rosa B Harris	7094
Samuel Brown	7100
William H Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
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James Maher	7128
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Henry W Coughran	7282
Sarah Ross	7291
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John A Martin	7323
Myrtle Robinson	7330
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Kinney Sapsucker	7378
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Bertha A Allen	7425
Robert J Tyner	7426
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Myrtle Wolfe	7443
Mary Blevins	7479
Sarah Ketcher	7486
Charles D England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B Collins	7556
Nancy I Brown	7579
Mary B Walkingstick	7642
Robert T Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T Langley	9092
Ida M Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B Langley	9438
Ella Gravitt	9439
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Joshua K Carr	9510
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Martha Baldridge	9529
James R Poindexter	9535
Maud Foreman	9539
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Joseph P Smith	9550
George E Watkins	9552
Florence Henry	9553
Jesse H Johnson	9560
Lydia B Barger	9561
Mary Jane Thomas	9562
James F Petty	9563
Laura McCrary	9566
Joel D Smith	9568
William T Cave	9572
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John E Nasworthy	9583
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Robert L Gentrys	9590
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John P Greenwood	9593
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Ella Cornwell	9598
Asa A Hedrick	9599
William C M Robinson	9600
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Lucinda Spriggs	9937
Ella F Hail	9939
John W Harris	9949
Hannah Raper	9942
John J Coughran	9945
Youra F Waybourn	9946
Louisa J Taylor	9947
William M Evans	9948
William F Pierce	9940
May F Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M Cox	9964
Jerusha E Blair	9965
Elias Kyle	9991
Ida Cushman	9982
James W Fleming	9994
Samuel Holmes	9995
Walter H Talley	9997
Hannah J Miller	9998
Clara V Ward	10002
Stephen W Pittsenberger	10005
Mary E Palmour	10008
William T Partin	10011
Nelbe Fields	10013
Sarah A Dawes	10015
Willard E Hutchins	10016
Jesse Talbert	10020
Julia E Setser	10021
Amanda E Howell	10022
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Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
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Josie Lowther	10054
Fannie D. Perry	10055
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Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
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Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
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David J. Matthews	10094
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Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
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Lucy E. Robards	10114
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Nancy Mayfield	10123
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Richard A. Clark	10126
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Walter L. Bates	10129
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Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
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Delia Jenkins	10142
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Oba Maxfield	10145
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Julia M. Schrimsher	10151
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Louisa J. Palmour	10169
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Josie Winters Hall	10174
Alice Nichols	10181
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Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Elsa J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
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Sarah A. Fields		10214
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George A. Brown		10228
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Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
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Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	148
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oucico W. Head	D	244
Etta Taylor	D	245
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Callie Blevins	D	341
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Shadrack C. Wallen	D	368
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Jane M. Hicks	D	386
Fannie L. Dupree	D	403
Willis Bathka, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	469
John M. Robinson	D	483
Henry S. Thompson	D	484
Joseph Reed	D	488
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracie Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	726
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruner	D	779
Georgia A. Waybourn	D	786
Nina Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	798
Artha Williams	D	800
Adam Gearhart	D	806
Cleora F. Rogers	D	844
Annie Garrett	D	846
George S. Yarbrough	D	878

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
B. B. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. L. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Medling	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Moore	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cass	D	2595
Hiram A. Lawless	D	2599
Charles Neer	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Priella Ross	D	2608
Tom W. Reeves	D	2609
Mary Stuart	D	2612
Rufus Tolmore	D	2613
Jasper Turpen	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whitechurch	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2688
John Culwell	D	2689

Herbert P. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Dandenson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Ellie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morron	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Lonnzer Onoveco	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2888
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2993
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3000
Jerry P. Ables	D	3046
Almedie Ross	D	3063
John S. J. Fowler	D	3065
Leaner Hood	D	3066
James D. Jackson	D	3067
Emma G. Nelson	D	3068
Alice Simco	D	3069
George O. Wallace	D	3069
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	106
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharies	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Geneo Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	636
Mamie Thompson	R	4	Andrew Sitrell	R	640
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREDENBECKER.

ALLISON L. AYLESWORTH
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 28 1902.

Mr. Francis Marion Mayfield,

Oologah, Indian Territory,

Sir:-

You are hereby notified that the application of Nancy Mayfield

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the eighth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of marriage to Nancy Mayfield.

Yours truly,

Cherokee D-776
Register.

Acting Chairman.

Commissioner in Charge.

0775

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

Muskogee, Indian Territory, May 29, 1902.

Mr. Francis Marion Mayfield,

Oolagah, Indian Territory.

Sir:

In the further consideration of the matter of the application for the enrollment of your wife, Nancy Mayfield, as a citizen of the Cherokee Nation, the certificate of your marriage to your wife, Nancy, or a certified copy thereof, is important.

You are required to supply the Commission with this document before June 13, 1902.

Yours truly,

Commissioner in Charge.

In answering refer to
Cherokee D 775
Register.

COPY

Cherokee D-775

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Francis M. Mayfield for the enrollment of his wife, Nancy Mayfield, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. M-6173

COPY.

Cherokee D-778.

Muskogee, Indian Territory, February 20, 1903.

Francis M. Mayfield,
Colagah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of your wife, Emmy Mayfield, as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. E-6.
Register.

Cherokee
IC125

Muskogee, Indian Territory, January 10, 1907.

Nancy Mayfield,

Oolagah, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Incl. Decn. D

Commissioner.

Cherokee
10125.

Muskogee, Indian Territory, March 14, 1907.

Nancy Mayfield,

Oolagah, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,

KJC

Commissioner.

Cherokee
8 et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907/ rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.6-100
Log

Cherokee
10123,

Muskogee, Indian Territory, March 30, 1907

Nancy Mayfield,
Care of Green Hadnot,
Muskogee, Indian Territory.

Dear Madam:

This office is in receipt, by reference of the Secretary of the Interior, of your recent letter relative to your right to citizenship in the Cherokee Nation.

In reply you are advised the records of this office show that on January 26, 1907, the application for the enrollment of one Nancy Mayfield as a citizen by intermarriage of the Cherokee Nation, was denied by the Secretary of the Interior.

Respectfully,

E M B

Acting Commissioner

Cher 10124
Anna B. Tittle

Trans. from D784

Cher 10124

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., November 12, 1900.

In the matter of the application of Annie Belle Tittle for the enrollment of herself as a Cherokee by intermarriage and her husband and children as Cherokees by blood; being sworn and examined by Commissioner Breckinridge, she testified as follows:

Q What is your full name? A Annie Belle Tittle.
Q How old are you? A 26.
Q What is your post office address? A Vinita.
Q What district do you live in? A Geoweeccoowee.
Q Who do you want to have enrolled, yourself and family? A Yes, sir.
Q Have you a husband that you want to apply for? A Yes, sir.
Q How many children? A Three.
Q Are you a Cherokee by blood? A No, sir.
Q Your husband a Cherokee by blood? A Yes, sir.
Q When were you married to your husband? A We have been married seven years the 23rd of January.
Q Were you ever married before? A No, sir.
Q Have you lived with him and in the Cherokee Nation ever since you married him? A Yes, sir.
Q Give me the name of your husband? A Daniel Edgar Tittle.
Q How old is he? A 26.
Q Was he born in the Cherokee Nation? A Yes, sir.
Q Has he lived there all his life? A Yes, sir.
Q Give me the name of his father? A Robert Tittle.
Q Is he dead? A No, sir.
Q Give me the name of his mother? A Mary Susan.
A She alive? A Yes, sir.
Q What was your name before you were married? A My name was Brunnet.
Q Was your husband ever married except to you? A No, sir.
Q Give me the name of your children? A Frederick Tittle is the oldest one.
Q How old is that child? A He will be 6 years old in January.
Q The next child? A Vera, 3 years old next August.
Q The next child? A Emery, 2 months old.
Q They are all living now are they? A Yes, sir.
Q Have you a certificate of your marriage? A No, sir, I have not.
Q Where is your husband now? A He is in Colorado.
Q What is he doing in Colorado? A He was at work there when I left him.
Q When did you leave Colorado? A I left there on Saturday, it will be three weeks next Saturday.
Q How long had you been there? A I went there the 10th of May.
Q What is your husband doing out there, what kind of work? A He is working in a hotel.
Q Does he keep the hotel? A No, sir.
Q How long has he been out there? A He has been out there ever since the 10th of March.
Q Was that the first time he ever went to Colorado? A Yes, sir.
Q Has he gone out there to make his home? A No, sir.
Q How does he happen to go out there and engage in employment? A He got into trouble at home.
Q What kind of trouble? A He had a fight with a negro.
Q Is that the reason he doesn't come back and make his application? A Yes, sir.
Q When do you expect him to come back to the Indian Territory, to the Cherokee Nation? A I expect him as soon as this Grand Jury meets at Vinita.
Q And he gets over that trouble? A Yes, sir.

Daniel E. Tittle on 1896 roll, page 246, Doe Child, Delaware district; on 1898 roll, page 248, No. 2168, Delaware district. Annie Belle Tittle

on 1896 roll, page 590, No. 545, Annie B. Tittle, Delaware district. Frederick Tittle on 1896 roll, page 543, No. 5150, Fredrick Tittle, Delaware district.)

Q Does your husband consider himself only temporarily in Colorado?
A Yes, sir, he expects to come back.
Q How does he expect to get over the trouble that keeps him in Colorado? A He don't expect to be indicted before the Grand Jury.
Q Why doesn't he stay and face the indictment? A Well, I don't know.
Q You see he is in the attitude of evading the law. A If he was back before the Grand Jury meet he might be indicted, and if he stays there he wouldn't be indicted.
Q When does the Grand Jury meet? A I don't know, it meets right away.
Q You think it meets in December, do you? A Mm Yes, sir.

The applicant applies for the enrollment of herself, husband and three children. Her husband is identified on the rolls of 1880 and 1896 as a native Cherokee. She states that he has lived in the Cherokee Nation all his life except that since March of the present year he has been in Colorado; that his absence is temporary, but is caused by a difficulty in which he became involved in the Cherokee Nation, and that he is not present at this time because of his fear arising from that difficulty. Inasmuch as his attitude is at present one of evasion of the law, a doubt is entertained as to the propriety of taking the application for him. He will be listed as a Cherokee by blood upon a doubtful card for the further consideration of his case.

The applicant states that she and her husband were married some seven years ago, they have lived together ever since their marriage, neither were previously married, and she is identified with her husband and with her oldest child on the roll of 1896. She will now be listed upon a doubtful card as a Cherokee by adoption.

Her oldest child is identified with its parents on the roll of 1896, he is living now, and he will be listed with his father and mother, his status being that of a Cherokee by blood. When certificates of birth are presented of the two youngest children, Vera and Emery, they also will be listed with their parents as Cherokees by blood.

The final decision of the Commission will be communicated to the applicants at her post office address.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 15th of November, 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
NOV 13 1900

Annie Wells Tittle - 8.

[illegible] 1898 roll, page 380, [illegible] Annie B. Tittle, Delaware district. Frederick Tittle on 1898 roll, page 642, No. 8150, Fredrick Tittle, Delaware district.)

Q Does your husband consider himself only temporarily in Colorado?

A Yes, sir, he expects to come back.

Q How does he expect to get over the trouble that keeps him in Colorado? A He don't expect to be indicted before the Grand Jury.

Q Why doesn't he stay and face the indictment? A Well, I don't know.

Q You see he is in the attitude of evading the law. A If he was back before the Grand Jury most he might be indicted, and if he stays there he wouldn't be indicted.

Q When does the Grand Jury meet? A I don't know, it meets right away.

Q You think it meets in December, do you? A No Yes, sir.

The applicant applies for the enrollment of herself, husband and three children. Her husband is identified on the roll of 1880 and 1896 as a native Cherokee. She states that he has lived in the Cherokee Nation all his life except that since March of the present year he has been in Colorado; that his absence is temporary, but is caused by a difficulty in which he became involved in the Cherokee Nation, and that he is not present at this time because of his fear arising from that difficulty. (illegible) his attitude is at present one of evasion of the law, a doubt is entertained as to the propriety of taking the application for him. He will be listed as a Cherokee by blood upon a doubtful card for the further consideration of his case.

The applicant states that she and her husband were married seven years ago, they have lived together ever since their marriage, neither were previously married, and she is identified with her husband and with her oldest child on the roll of 1896. She will now be listed upon a doubtful card as a Cherokee by adoption.

Her oldest child is identified with its parents on the roll of 1896, he is living now, and he will be listed with his father and mother, his status being that of a Cherokee by blood. When certificates of birth are presented of the two youngest children, Vera and Henry, they also will be listed with their parents as Cherokees by blood.

The final decision of the Commission will be communicated to the applicants at her post office address.

Bruce G. Jones, being duly sworn, says that he stenographer to the Commissioner to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript his stenographic notes thereof.

[illegible]

Sworn to and subscribed before me this the 13th of November, 1900.

[illegible]

Commissioner.

D784

W 184 B

DEPA[illegible] BLS
COMMISSION[illegible]
NOV 12 1900
[illegible]CHMAN

IN RE

Application for Enrollment of

INFANT CHILD

Emery E Tittle

as a citizen of the

Chickasaw Nation

Approved Nov. 12. 1900

Commissioner.

DEPARTMENT
COMMISSION
FILED
NOV 13 1900

Card D. 784

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Emery E Tittle, born on the 9th day of Oct, 1900
(Here insert name of child.)
Name of Father: Daniel E Tittle, a citizen of the Cherokee Nation.
Name of Mother: Anna Tittle, a citizen of the Cherokee Nation.
Post-office Vinita - I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Anna Tittle, on oath state that I am 25
years of age and a citizen, by adoption, of the Cherokee Nation;
that I am the lawful wife of Daniel E Tittle, who is a citizen, by
Blood, of the Cherokee Nation; that a Male (male or female) child was
born to me on the 9 day of Oct 1900; that said child has been
named Emery E Tittle, and is now living.

WITNESSES TO MARK.

Anna Tittle

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3rd day of Nov. 1902

John E Burton
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, Ella Tittle, a ——, on oath state that I
was present at the birth of Emery E Tittle, who is a son
of Anna Tittle, wife of Daniel E Tittle, and that
on the 9th day of Oct, 1900; that there was born to her on
said date a Male (male or female) child; that said child is now living and is said to have been
named Emery E. Tittle.

WITNESSES TO MARK.

Ella Tittle

(Must be Two Witnesses.)

Subscribed and sworn to before me this 3rd day of Nov 1902

John E Burton
NOTARY PUBLIC.

40

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

[illegible] a citizen of the

[illegible] Nation.

Approved [illegible] 1900

[illegible]

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1900

[illegible]
Acting Secretary

[illegible]

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Vera Tittle (Here insert name of child), born on the 17th day of August, 1897., 1

Name of Father: Daniel E. Tittle, a citizen of the Cherokee Nation.

Name of Mother: Anna B. Tittle, a citizen of the Cherokee Nation.

Post-office, Vinita, Indian Territory

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Anna B. Tittle, on oath state that I am twenty six years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Daniel E. Tittle, who is a citizen, by blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 17th day of August, 1897 1; that said child has been named Vera Tittle, and is now living.

Anna B Tittle

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of November, 1900. 190.

COMMISSIONER.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mary S. Tittle, a ____, on oath state that I attended on Mrs. Anna B. Tittle, wife of Daniel E. Tittle, on the 17th day of August, 1897, 1; that there was born to her on said date a female (male or female) child, that said child is now living and is said to have been named Vera Tittle.

Mary S Tittle

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this ____ day of ____, 190.

COMMISSIONER.

R

C. D-784

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Daniel E. Tittle for the enrollment of himself and wife as Cherokee citizens.

Appearances: W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION:

The applicant was notified by registered letter February 28,1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 10th day of March,1902, and that on said date he might appear before the Commission either in person or by attorney, when an opportunity would be given him to introduce any further testimony affecting his application. Receipt has been acknowledged of the Commission's letter.

The applicant this day, to-wit: the 10th day of March,1902, being called and failing to respond either in person or by attorney it is considered that the case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

R.
Cher D 784

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 30, 1902.

In the matter of the application of DANIEL B. TITTLE, ET AL., for enrollment as citizens of the Cherokee Nation:

TESTIMONY IN BEHALF OF APPLICANTS.

FELIX G. COWAN, called as a witness, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Felix G. Cowan.
Q How old are you ? A Thirty six.
Q What is your post office address ? A Vinita, I. T.
Q Are you acquainted with the applicant in this case, Daniel B. Tittle ? A Yes sir.
Q Are you acquainted with his wife Annie Belle Tittle ?
A Yes sir.
Q You may state what you know about the marriage of these two persons ? A I was present at their marriage.
Q Do you know when that was ? A Yes sir, in the year 1894.
Q Who married them ? A John Duncan.
Q Is he a Minister of the Gospel ?
A No sir, he was clerk of the district at that time.
Q Did Daniel B. Tittle and his wife continue to live together as man and wife to his death ? A Yes sir.
Q Were they generally recognized as such throughout the community ?
A Yes sir.

E. G. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. G. Bagwell.

Subscribed and sworn to before me this July 1, 1902.

(Seal)

H. F. Foster
Notary Public.

2
Case D 704 -et

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 26, 1902.

In the matter of the application of DANIEL B. TITTLE for the enrollment of himself, and his children [illegible], VERA, and [illegible] B. TITTLE, as citizens by blood of the Cherokee Nation; and for the enrollment of his wife Anna B. Tittle, as a citizen by intermarriage of the Cherokee Nation:

M. C. GIBBARD, called as a witness, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A M. C. Gibbard.
Q What is your age and post office address ? A Thirty two years old; post office, Vinita, Indian Territory.
Q Were you acquainted with the applicant in this case, Daniel B. Tittle, prior to his death ? A Yes sir.
Q You knew his wife Anna B ? A Yes sir.
Q When were they married ? A On the 22nd day of January, 1894.
Q Did you witness the ceremony of marriage ? A I did.
Q Who performed it ? A John Dawson, clerk.
Q Did they live together continuously from that time up to the time of the death of Daniel B. Tittle ? A Yes sir.
Q Were they generally recognized in the community as man and wife ?
A Yes sir.

Examined by Mr. Hastings:

Q Neither had ever been married before ?
A No sir.

I, E. Bagwell, an oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. E. Bagwell

Subscribed and sworn to before me this September 2, 1902.

B. J. Jones
Notary Public.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 8th, 1902.

In the matter of the application of Daniel B. Tittle for the enrollment of himself as a citizen by blood of the Cherokee Nation; for the enrollment of his wife, Anna B. Tittle, as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his children, Frederick, Vera and Emery E. Tittle, as citizens by blood of the Cherokee Nation.

Supplemental to D-784.

Cherokee Nation appears by J. C. Starr.

ANNA B. TITTLE, being duly sworn, testified as follows:
Examination by the Commission.

Q. What is your full name? A. Anna Bell Tittle.
Q. How old are you? A. 26 last January.
Q. What is your post office? A. Vinita.
Q. You are a white woman, are you? A. Yes, sir.
Q. You are claiming as a citizen by intermarriage? A. Yes, sir.
Q. What is the name of the husband through whom you claim?
A. Daniel B. Tittle.
Q. Is he your first husband? A. Yes, sir.
Q. Are you his first wife? A. Yes, sir.
Q. Neither of you ever married before? A. No, sir.
Q. How long has your husband lived in the Cherokee Nation?
A. He has lived in the Cherokee Nation all his life only when he has been on a visit.
Q. When were you married? A. 23rd day of January, 1894.
Q. Have you been living with your husband in the Cherokee Nation ever since you were married in 1894? A. Yes, sir.
Q. Never been separated? A. No, sir.
Q. Living together on the first day of last September? A. My husband died last December.
Q. You lived with him from the time you were married in 1894 up until the time of his death? A. Yes, sir.
Q. You have lived in the Cherokee Nation ever sin ce he died?
A. Yes, sir.
Q. You haven't married since his death? A. No, sir.
Q. How many children have you? A. Three.
Q. Living with you? A. Yes, sir.
Q. They have lived in the Cherokee Nation all their lives?
A. Yes, sir.

BY MR. STARR:

Q. Have you been out of the Cherokee Nation at any time since you were married? A. Yes, sir. Not longer than 2 or 3 months at a time.
Q. Where did you go? A. We were in Colrado at one time.
Q. When was that? A. That was three years ago this spring.
Q. How long did you stay there? A. Stayed there three months.
Q. Then where did you go? A. Came back.
Q. Were you out any other time? A. Went to Oklahoma.
Q. How long did you stay in Oklahoma? A. We was in Oklahoma three or four months.
Q. Where were you in 1900? A. In Vinita.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 26th day of November, 1902.

D A Jones

Notary Public.

1784

Subscribed and sworn to before me this 2[illegible] day of [illegible], 1905.

Notary Public.

Recorded before examination and certificate of this instrument to complete and

Cherokee D-784.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application of Anna B. Tittle for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of her husband, Daniel E. Tittle, and their minor children, Frederick, Vera and Emery E. Tittle, as citizens by blood of the Cherokee Nation.

DECISION.

--:o:--

The record in this case shows that on November 12, 1900, Anna B. Tittle appeared before the Commission at Claremore, Indian Territory, and made personal application for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of her husband, Daniel E. Tittle, and their minor children, Frederick, Vera and Emery E. Tittle, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on June 30, and October 8, 1902.

The evidence shows that the said Daniel E. Tittle is a native Cherokee and is identified as such on the 1880 Authenticated Roll of the Cherokee Nation and on the 1896 Census Roll of said Nation. The said Anna B. Tittle and Frederick Tittle are also identified on said 1896 Census Roll, the former as an adopted white and the latter as a native Cherokee. The said Vera Tittle and Emery E. Tittle are too young to appear upon any of the tribal rolls, but are identified by birth affidavits made a part of the record herein.

It further appears that said Daniel E. Tittle was lawfully married to Anna B. Tittle (formerly Brummet), a white woman, in 1894, and that the minor applicants herein are the issue of such marriage.

The evidence further shows that said Daniel E. Tittle resided in the Cherokee Nation all his life. His death occurred on December 16, 1901, as evidenced by a death affidavit made a part of the record herein.

It is further shown that Anna B. Tittle has lived continuously in the Cherokee Nation with her said husband from her marriage to him up to and including his death, and continued to reside therein and had not remarried, up to and including September 1, 1902. The minor children applicants herein have lived all their lives in the Cherokee Nation.

It is, therefore, the opinion of this Commission that Anna B. Tittle should be enrolled as a citizen by intermarriage, and that Frederick Tittle, Vera Tittle and Emery E. Tittle should

be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats.,495), and it is so ordered.

It is further ordered by this Commission that the application for the enrollment of Daniel E. Tittle as a citizen by blood of the Cherokee Nation be, and the same is hereby, dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 30 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	398
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	594
Addie B. Ward	69	James T. Miller	598
Samuel G. Vertrees	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	670
William H. Ford	173	Benjamin G. Holland	703
Thomas N. Wilson	185	William Gordon	708
Ulie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palmer	224	Emma Morris	842
Hugh Willis	239	Susie Fivekiller	867
Mary A. Wilkie	243	John F. Carden	894
John W. Thurman	268	William H. Reeves	907

Mary Pettit	977
Bettie Mitchell	985
John J Harrison	993
Jasper N Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E Hair	1090
Norman S Drake	1092
Susan Hogg	1094
David L Scott	1099
James C Taylor	1111
Roxie Shepard	1128
Robert G Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J Keys	1149
Joseph M Correll	1177
Jane Ratley	1225
George E Norton	1234
Mahala D Thompson	1247
Charles M Trammel	1264
Flora Carlile	1265
William H Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E Fargo	1299
William M Oliver	1333
Andrew J Couch	1340
Lina Hyles	1347
Mary M Miller	1350
Mary E Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G Faulkner	1433
Sarah A Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W Nettles	1509
Lena Suttingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A Saterfield	1529
Laura J Jeremiah	1530
Etta Hicks	1540
Mary A B McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J, Mounts	1734
James D Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Rediugton	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bud Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Gunn	2159
Rebecca J Flying	2173
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A Madden	2261
Henry C Pennel	2271
Matilda S Cleland	2302
Dona A Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2983
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryno	3193
Elias Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A J Trotter	3257
Albert P Goforth	3298
Anna B Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M A Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J Wolfe	3889
Lathan Lumbard	3891
Micajah P Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W Dudley	3944
Minnie M McLaughlin	3950
Henry B Lindsey	3978
Wilbert H Parkison	3999
Seth R Hall	4011
Wiley Hanna	4016
Martha M Woods	4093
Lizzie Gray	4117
Nancy C Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4180

Nancy J Kinney	4225
Sydney E Bell	4232
Isaac H Jordan	4235
Charles Parks	4241
Dora Frenchman	4262
James R Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T Morrison	4294
Perley Israel	4295
William A Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H Gibson	4327
John McFall Jr	4343
Albert W Fitzsimmons	4360
George S Ford	4386
Quinn Carr	4387
William A Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P Sudderth	4449
Anderson Keen	4450
Ida M Adams	4451
Martha J Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W Childers	4542
Nannie B Riley	4543
John W McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F Woody	4603
James M McConnell	4604
Annie E Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E Smith	4608
Annie Nicholas	4609
Minnie R Taylor	4611
Mary E Rogers	4614
Emma Downing	4615
Wilham Steere	4619
Roxie J Ketchum	4623
Lizzie Love	4626
Robert K Wann	4632
Frederick Metzner	4633
John C Bratcher	4634
Pegrow L Jones	4641
Ada Berthoff	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C Peek	4652
Mont C Frazier	4653
Frank J Mayberry	4656
Charles W Moore	4660
Jefferson D Edmondson	4661
Alonzo H Boone	4662
Thomas C Mock	4668
Sallie Allison	4669
Elizabeth E Burgess	4671
LaFayette Breeden	4673
James M Bohng	4676
Francis A Neilson	4681
John F Smith	4689
Rufus S Steward	4691
John I Haddock	4694
Maggie O Walkley	4695
George W Talbert	4698
Mary Miller	4700
Henry C White	4707
Mattie E Hill	4760
Alice A Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R Beaty	4804
William J Dodson	4836
Blackburn Reed	4882
Ayola Lowther	4891
William B Ritchson	4910
Henry D McDonald	4950
Della McDaniel	4956
Dorothy Rathbuggund	4991
Ida McCay	5093
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5207
Deonne Burgess	5235

Nora B Burgess	5236
John E Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H Wells	5261
John T Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H Thomas	5329
Melville B Baird	5332
James R Goodall	5356
Charles Horton	5390
James W Goddard	5417
Dora Cox	5425
Nannie G Alberty	5438
Sallie Ward	5455
William H Sutherlin	5484
Lizzie Hall	5487
Cyrus B Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D Miller	5496
Emberson M Arnold	5498
Stella Henry	5499
William E Oneal	5500
John M Sharp	5509
John L Davis	5514
Sarah E Downing	5518
Samantha C Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W Hallford	5535
Phoebe Coker	5547
Anthony K Douglas	5548
Joseph H Johnson	5541
Harvey O Riggs	5547
Alice Glass	5558
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R Greer	5576
Rosa M Sixkiller	5581
Nancy Inlow	5587
Daisey H Owen	5599
Annie R C Owen	5600
Jesse McKnight	5602
Cicero J Strange	5610
Henry Westenhaver	5611
Emma H Roach	5612
William A Polson	5613
Paulina P Pitcher	5614
Charley Headrick	5615
William N Stinson	5616
Lenora A Henry	5621
Effie M Adams	5622
John H Shimp	5624
Thomas B Dickson	5625
Minnie Henry	5628
Thomas J Simpson	5629
Cap L Lane	5630
Reuben E DeLozier	5631
John Heape	5640
Perry G Brock	5645
Mary J Newcomb	5650
George W Seigel	5660
Martha A Parks	5666
Zelda C Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B Wood	5681
Asa W Simerson	5683
William J Kuhn	5686
Elsie Couch	5688
William H Robinson	5692
Rachel Washington	5693
Isaiah B Blackwood	5700
John R Johnson	5701
Dennis W Smith	5702
William H Chesnut	5705
William H Durham	5707
Albert B Bucknaster	5710
Maud Critchfield	5730
Joseph S Layne	5731
Lena Bell	5737
Juan N Corn	5748
Robert N Crafton	5750
Benjamin F Coffee	5756
Frank McSpadden	5760
Charles D Pendleton	5775
Harden H Green	5776
Emma J Ward	5778
Robert C Fuller	5781
Henry F Extine	5796
Ida Wyly	5802
Richard L Fite	5815
Edward Lutz	5816
John F Woodworth	5829

Horace H Huddlestun	5832
William R Sartain	5837
Joseph A Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Enin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Farley F. Ellis	5874
Rost B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John, R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5987
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030

George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier.	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6315
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Pora Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715

James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zotall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma Westbrook	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Pharris	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7276
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Good	7350
Elijah Johnson	7351
Mary L. Knoblough	7360
Jennie Burr	7367
Krasny Sapstocker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary I. Hunnaughost	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martel	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. Engingd	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Moline Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crain	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravatt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Bradmore	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Mahinda Seabolt	9462
Mary Compton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippo	9471
William Bird	9473
Mollie L. Forbes	9476
William H. Thompson	9478
Mollie Devane	9481
Mary P. Guthrie	9482
Detsey N. Leersher	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Hettie Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Pheney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Leena E. Herrin	9854
Gailen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9878
William G. Brown	9879
John B. Delay	9881
Pauline Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hall	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waydourn	9946
Lotissa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9949
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenbarger	10005
Mary E. Palmour	10008
William T. Parton	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
John E. Setser	10021
Amanda E. Harrell	10022
Minnie J. Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shetley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Beldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora F. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Juha M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trigley	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Stull	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Parades	10205
Samuel Shadix	10206
Mary F. Cubbers	10207
Robert M. Hamulton	10208
John Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oneico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	809
Adam Gearhart	D	826
Cleero F. Rogers	D	835
Annie Garrett	D	836
George S. Yarbrough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1298
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphonia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Lousa Blevins	D	1567
Frank Cowles	D	1581
Mary Frances Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2903
Mattie Robinson	D	2905
Jennie Rich	D	2906
Alexander C. Russell	D	2907
Pricilla Ross	D	2908
Tom W. Reeves	D	2909
Mary Smart	D	2912
Rufus Tidmore	D	2913
Jasper Turquitt	D	2914
Mabel West	D	2918
Opheha West	D	2919
Cora Whisenhunt	D	2920
Katy Martin	D	2987
Willis Butler	D	2996
Claud Barger	D	2997
Dixie Conner	D	2998
John Colwell	D	2999

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Dandenson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2736
Irene Riley	D	2739
William H. Rowley	D	2740
Columbus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2768
John P. Thurman	D	2769
Mary E. Davis	D	2770
Jessie Erick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2802
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKennon	D	2808
Jone McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morton	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Osmerse	D	2818
William M. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Reuben Steele	D	2828
William M. Stocker	D	2829
Sallie Tennessee	D	2831
Mary Towle	D	2832
John F. Wall	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Maude Ward	D	2889
Elmira J. Alberty	D	2895
Thomas C. Cordray	D	2896
Edward Fowler	D	2897
Dora Foreman	D	2898
Parker Holt	D	2899
John Hooten	D	2900
George Harlin	D	2911
Percullia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Evelina Hall	D	2993
John E. Leftwich	D	2995
Mattie Hanson	D	2994
John D. Colwell	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Abbin	D	3048
Alexander Ross	D	3052
John S. J. Fowler	D	3065
Lemuel Hood	D	3066
James D. Jackson	D	3067
Emma G. Nelson	D	3068
Alice Stones	D	3069
George O. Wallace	D	3068
Fannie Clay	D	3078
Ellen Dove	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

COMMISSIONERS.
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
C. R. BREVINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Annie Belle Tittle,

Vinita, Indian Ter.

Madam:

You are hereby notified that the application of yourself, husband and three minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You will be required to supply the Commission with a certificate of your marriage to Daniel R. Tittle.

Yours truly,

[redacted]
Commissioner in Charge.

Cherokee D. 704

E. D 4814

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

Cherokee D 784

Muskogee, Indian Territory, May 27, 1902.

Annie Belle Tittle,

Vinita, Indian Territory.

Madam:

From an examination of the testimony in the matter of your application for the enrollment of yourself, husband and children as citizens of the Cherokee Nation it appears that you testified you were married to your husband, Daniel E. Tittle on January 23, 1894. It will be necessary to furnish the Commission with either theoriginal, or a copy of the certificate of this marriage, and if you are unable to produce such evidence, the fact of your marriage must be established by other than your own testimony. You are therefore requested to present such evidence to the Commission on or before June 10, 1902.

As the matter is very important to yourself and children you are urged to give the same your prompt attention.

Yours truly,

Acting Chairman.

Register.

Muskogee, Indian Territory, June 9, 1903.

Mrs. A. Tittle,

Jane, Missouri.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 25th ult. relative to your right to enrollment as a citizen by intermarriage of the Cherokee Nation, and in which you state that you did not receive the Commission's letter of date March 30th requesting you to furnish the Commission with evidence of your marriage until June 10, 1903.

You are hereby advised that you will be allowed twenty days from date hereof in which to supply the Commission with either your original marriage license and certificate or a certified copy thereof.

As this matter is important you are requested to give it your early attention.

Very respectfully,

Acting Chairman.

Refer to Cherokee D-794.
Register.

COPY.

Cherokee D-784

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Anna E. Tittle for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children, Frederick, Vera and Emery E. Tittle as citizens by blood of the Cherokee Nation, and dismissing her application for the enrollment of her husband, Daniel E. Tittle as a citizen by blood of said Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Enc. D-1173

Acting Chairman.

Cherokee D-784.

Muskogee, Indian Territory, February 20, 1903.

Anna B. Tittle,

Vinita, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your three minor children, Frederick, Vera and Emery B. Tittle, as citizens by blood, of the Cherokee Nation, and dismissing your application for the enrollment of your husband, Daniel B. Tittle, as a citizen by blood of said Nation.

Respectfully,

Acting Chairman.

Enc. E-4.
Register.

Cherokee
1C124

Muskogee, Indian Territory, January 10, 1907.

Anna B. [illegible]tle,
Vinita, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Encl. Decn. D

Commissioner.

Cherokee
10124.

Muskogee, Indian Territory, March 14, 1907.

Anna B. Tittle,

Vinita, Indian Territory.

Dear Madam:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation was affirmed by the Department January 26, 1907.

Respectfully,

KJC

Commissioner.

Cherokee
S et al.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Waters, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-1209
1209

784

Nov 16/00

Annie Belle Tuttle.
Clarendon
wife of mine
husband + children

Daniel 680-96
Wife 1 Oct 1896
Daniel and his wife were Servants ... Col

Cher 10125

Florence S. Rogers

Trans. from D820

Cher 10125

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Chelsea, I.T. November 19th, 1900.

R.

IN THE MATTER OF THE APPLICATION OF FLORENCE S ROGERS FOR THE ENROLLMENT OF HERSELF AND HUSBAND AS CHEROKEE CITIZENS.

The said Florence S. Rogers, being sworn by Commissioner C. R. Breckinridge, was examined by the Commission and testified as follows:

Q What is your name, please? A Florence S. Rogers
Q How old are you? A Forty-five.
Q What is your post office address? A Chelsea.
Q Are you a Cherokee citizen by blood? A Yes, sir.
Q What degree of Cherokee blood do you claim? A A One-thirty-second.
Q For whom do you apply? A Myself.
Q How long have you lived in the Cherokee Nation? A I came here the 20th of March, 1898, the last time.
Q Where were you living previous to that time? A In Chatooga County, Georgia.
Q Were you ever in the Cherokee Nation before that time? A Yes, sir.
Q When was that? When did you come first? A From April 1867 until December ~~1873~~1873.
Q You then went to theState of Georgia and remained there until the 25th day of March, 1898? A Yes, sir.
Q What was the name of your father? A Robert F. Wyley.
Q Is your father living or dead? A He is living.
Q Is he a Cherokee or a white man? A Cherokee.
Q What is the name of your mother? A Amanda Cherokee Williams, was her maiden name.
Q Is she living? A She is dead.
Q Was she a Cherokee? A Yes, sir.
Q Does your name appear upon the roll of 1880? A No, sir.
Q What was he name twenty years ago? A I was married twenty-two years ago.
Q What is the name of your husband? A Job B. Rogers.
Q Is he living? A Yes, sir.
Q White man? A Yes, sir.
Q When were you married to him? A I was married under Cherokee laws in 1880.
Q Where were you living at that time? A I was living in Georgia, but we were married here.
Q Did you come to the Cherokee Nation for the purpose of being married? A I came here for that and on business.
Q How long did you remain? A I think I was here about a month at that time.
Q Do you make application for the enrollment of your husband? A No, sir;---if it is regular, I do.
Q You can make application for him if you desire.
A Well, I do them.
Q How old is your husband? A He is fifty-six.
Q Have you any evidence of your marriage to him? A Yes, sir; I have a certificate.

THE COMMISSION: The applicant presents a certified copy of the marriage records, showing that J. B. Rogers and Florence S. Rogers, nee Wyley, a citizen of the United States, and a Cherokee, were married by the Rev. J. C. Shanks, a minister of the gospel.

Q Have you lived with your husband continuously since you were married in 1880? A Yes, sir.
Q Were you ever readmitted to citizenship in the Cherokee Nation by the Cherokee National Council or Commission on citizenship? A Yes, sir.
Q Have you any evidence of that fact? A Yes, sir.

THE COMMISSION: The applicant presents a certificate of admission to Cherokee citizenship dated at Tahlequah on the 21st day of September, 1887, admitting her to citizenship in the Cherokee Nation. The document is signed by J. T. Adair, Chairman of the Commission on Citizenship, attested by C. C. Lipe, Clerk of the Commission on Citizenship, approved and endorsed by D. W. Bushyhead, Principal Chief. The document bears the seal of the Cherokee Nation, and will be filed herewith.

Q You were living in the state of Georgia when you were admitted to citizenship, were you not? A Yes, sir.

Q You remained there until 1889, and then came to the Cherokee Nation and were married at Tahlequah on the 24th of September 1889, remained about one month here and returned to the State of Georgia? A Yes, sir.

Q You lived there continuously and returned to the Cherokee Nation on the 25th day of March, 1898? A Yes, sir. I was back here several times.

Q But simply for the purpose of transacting business or visiting? A Yes, sir.

Q Your effects were in Georgia? A Yes, sir, most of them were.

Q After your husband returned to Georgia in 1889, did he exercise the right of citizenship there, that is, did he vote? A Yes, sir.

Q He voted there did he? A Yes, sir.

Q Does your name appear upon the census roll of 1896? A I don't think it does.

Q Did you draw strip money from the Cherokee Nation in 1894? A Yes, sir.

Q How much money did you draw at that time? A It was $265.70, I think. My husband was here in 1896 during the enrollment.

1894 Roll, page 1151, No. 2565, Florence S. Rogers, Tahlequah District.

Q Is there any additional statement which youwould like to make in regard to your application? A Yes, sir.

Q Just state it to the stenographer, please, and he will take it down.

A Well, the time we came out and married here, Mr. Rogers bought a farm in the Territory here, and paid for it, and got a deedto it, and has owned it from that time. He has had undisturbed possession of it from that time until this. He has had stock and horses and cattle and farm implements here all these years.

Q Still, you say your husband, even after he was married to you in accordance with the lawsand customs of the Cherokee Nation, exercised the right of sufferage in Georgia? A Yes, sir.

Q I think that is all now, unless you desire to make some additional statement? A No, nothing more.

THE COMMISSION: The applicant applies for the enrollment of herself as a citizen by blood and for the enrollment of her husband as a citizen by intermarriage. She presents satisfactory proof of her admission to citizenship in the Cherokee Nation on the 21st day of September, 1887. She swore that she resided in the Cherokee nation during from the year 1867 until 1873, when she removed to the State of Georgia, and made her home there continuously until the 22nd day of March, 1898, when she returned to the Cherokee Nation. She also swore that she was married in the year 1889 to her present husband. She came to the Cherokee Nation for that purpose and for the purpose of transacting other business, and remained only one month, when she again returned to Georgia. Her name is not identified upon the census roll of 1896, neither is that of her husband. However she is identified upon the strip payment roll of 1894. Accordingly she is called to an act of the Cherokee National

Council, approved December 4th, 1894, which appears upon page 128 of the 6th Annual Report of the Commission to the Five Civilized Tribes for the fiscal year ending June 30th, 1899. Said Act reads as follows: "Be it enacted by the National Council that all persons who have been, or may hereafter be readmitted to citizenship in the Cherokee Nation, are hereby required to permanently locate within the limits of the Cherokee Nation within six months from the passage of this Act, or from the date of readmission of persons hereafter readmitted, or no rights whatever shall accrue to such persons by reason of such readmission, provided that nothing in this Act shall bar minors and orphans."

It appears from the testimony that the applicant did not comply with the provisions of this Act, but lived in the state of Georgia until the 25th day of March, 1896. She presents a certified copy of the ir marriage, showing that she and h-r husband were married on the 25th day of September, 1869 by one J. C. Shanks, a minister of the gospel. This is simply a marriage certificate, and in addition to this she will be required to file with the Commission, either the original or a certified copy of, the license that was issued authorizing said marriage.

For the further consideration of the Commission the applicant and her husband will be placed upon what is known as a doubtful card and when final judgment is rendered in her case, she will be notified in writing at her present post office address.

---o---

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

W. J. Meehan

Subscribed and sworn to before me this 19th day of November 1900.

Commissioner.

03

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 19 1900

ACTING CHAIRMAN

CHILDREN AND BLOOD BY ADOPTION

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 19 1900 1900.

536 Name Joe B Rogers Chelsea I.T.

District ..... Year ..... Page ..... No. .....

Citizen by blood NC Mother's citizenship .....

Intermarried citizen yes

Married under what law ..... Date of marriage .....

License ..... Certificate .....

2 Wife's name Florence S Rogers

District TAHLEQUAH. Year 1894 Page 1131 No. 7563

Citizen by blood Cpo Mother's citizenship .....

Intermarried citizen NC

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children

Married

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Don't enroll

Marriage license to be supplied

C

1179

Certificate of Admission to Cherokee Citizenship

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION.

To all Whom it May Concern—GREETING:

This is to Certify, That the following named, to-wit:—

Florence S. Rogers age 33 years

did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "*An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship,*" make such application to and before said "Commission" on the 21 day of September 1887; that the proof submitted by the above named Florence S. Rogers in support of Her said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council—and that, by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said act, the above named parties (applicants for citizenship) are, from this, the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Art. 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said parties accordingly.

IN WITNESS WHEREOF, I hereunto sign my name, as Chairman of the Commission, on this the twenty first day of September 1887

J. D. Sloan
Chairman Com. on Citizenship.

ATTEST:

E. E. Lipe
Clerk Com. on Citizenship.

Approved and endorsed:

D W Bushyhead
Principal C. N.

C. J. Funk
Asst. Secretary

Married Sept. 25th. 1889

J.B.Rogers & Florence S.Rogers, nee Wily, a citizen of the U.S. and a Cherokee, ceremony performed by

Rev. J.C.Shanks M.C.

✓

Executive Department, Cherokee Nation.

Tahlequah I.T. October 16 90

I hereby certify that the above and foregoing is a true and correct copy of the Marriage Record of Tahlequah District, which is now on file in this office.

J.T. Parks,

Executive Secretary, Cherokee Nation.

Dpa

POOR ORIGINAL
BEST AVAILABLE COPY



Executive Department,

CHEROKEE NATION.

Tahlequah, I. T.,

Married, Sept, 25th, 1889.

J.B.Rogers, and Florence S.Rogers, nee Wyly, A citizen of the U.S. and a Cherokee. Ceremoney performed by Rev, J.C.Shanks, M.G.

Allen Ross,
Clerk, T.D.C.N.

Executive Department,
Cherokee Nation,
March, 20th, 1901.

I, A.B.Cunningham, assistant Executive Secretary of the Cherokee Nation do hereby certify that the above and foregoing is a true and correct record of the marriage of J.B.Rogers and Florence S. Rogers, nee Wyly, as taken from the marriage record of Tahlequah District Cherokee Nation, for the year of 1889, said record now being a part of the records of this office .

In testimony whereof, I hereunto set my hand and affix the seal of the Cherokee Nation this 20th, day of March, 1901.

A.B.Cunningham

Assistant Executive Secretary, C.N.



Executive Department

CHEROKEE NATION.

Tahlequah, I. T., 3-20-1901.

I, A.B.Cunningham, Assistant Executive Secretary of the Cherokee Nation do hereby certify that I have carefully examined the Clerks marriage records of Tahlequah District Cherokee Nation and failed to find any record of license having been issued to J.B.Rogers to marry Florence S.Rogers, nee Wyly, said records of the Clerks office of Tahlequah District Cherokee Nation now being a part of the Records of this office;

In testimony whereof, I hereunto set my hand and affix the seal of the Cherokee Nation the year and day first above written.

A.B. Cunningham

Assistant Executive Secretary, C.N.

F 12820

DEPARTMENT OF THE INT[illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 25 1901

ACTING CHAIRMAN

8-80-1901.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 14th, 1901.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Job B. Rogers et al. for enrollment as citizens of the Cherokee Nation.

Wm. P. Thompson

Atty. for Applicant.

D.--#820.

D820

E

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 14 1901

ACTING CHAIRMAN.

S U P P L E M E N T A L T E S T I M O N Y .

D. #820.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., MARCH 25th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of Joe B. Rogers, et al., as citizens of the Cherokee Nation:

O. L. WYLY, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A O. L. Wyly.
Q What is your age? A 47.
Q What is your post office address? A Tahlequah.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know J. B. Rogers? A Yes, sir.
Q Do you know Florence S., his wife? A yes, sir.
Q What do you know of their being married according to the laws of the Cherokee Nation? A I know that they were married according to the laws of the Cherokee Nation; I helped him get up his petition and I was there when he was married.
Q Did you know whether or not he had a license? A Yes, sir.
Q Did you see the license? A I did.

BY W. W. HASTINGS, Cherokee Representative:

Q When was this? A I think this was in September, 1889.
Q They had been married before that? A Yes, sir; they had been married in Georgia, I saw them married the first time?
Q Under United States law? A Yes, sir.
Q And the second time under Cherokee law? A Yes, sir.

BY COMMISSIONER NEEDLES:

Q You know he was? A Yes, sir, I know that he was; he kicked on the license he said that ten dollars was too high.

J. T. CUNNINGHAM, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name A J: T. Cunningham.
Q What is your age? A 57.
Q What is your post office address? A Tahlequah.
Q Judge, do you know J. B. Rogers? A Yes, sir.
Q Do you know his wife, Florence? A Yes, sir.
Q What do you know of his being married according to the laws of the Cherokee Nation? A I was present at the second marriage at Tahlequah; While I did not see his license, I am satisfied he had one, I signed his petition
Q Was this about the year 1889? A Yes, sir, as near as I can remember.

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J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.
Subscribed and sworn to before me this 26th day of March, 1901.

J. O. Rosson

M. B. Lee Notary Public
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 29 1901

B

C. D-820

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Job B. Rogers for the enrollment of himself and wife as Cherokee citizens.

Appearances:
Applicant's wife, Florence S. Rogers;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 18,1902, that his application for the enrollment of himself and wife as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th dayof March,1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 10th day of March,1902, appears by his wife, Florence S. Rogers.

FLORENCE S. ROGERS, being first duly sworn and being examined testified as follows:
BY COMMISSION:
Q What is your name? A Florence S. Rogers.
Q How old are you? A 47, I was born in 1855.
Q What is your post-office address? A Chelsea, I. T.
Q You and your husband are applicants before the Commission for enrollment as citizens of the Cherokee Nation? A Yes.
Q Is there any statement you desire to make relative to your application and thatof your husband for enrollment as Cherokee citizens? A I think I said everything when I appeared before you at Chelsea.
Q What is the name of your father? A Robert F. Wiley.
Q Is he living? A Yes sir.
Q Is he a Cherokee or a white man? A White man.
Q In answer to the question "Is he a Cherokee or a white man?" put to you at Chelsea in November,1900, when you made your original application,you said that "He was a Cherokee." Was that a mistake? A No sir, that was a mistake, he was a white man, I never said anything else.
Q You submit the case then to the Commission for final consideration? A I suppose that is all I can do.

BY COMMISSION: The applicant and the representative of the Cherokee Nation present submit the case; same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony andproceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Before the Commission to the Five Civilized Tribes.

In the matter of the application of Florence Rogers and J. B. Rogers, her husband, for enrollment as citizens of the Cherokee Nation. } Brief of Applicants.

Statement of Facts.

The facts in this show that Florence Rogers is a Cherokee woman; that she was readmitted to citizenship in the Cherokee Nation as shown by her certificate filed in this case; that before she was readmitted she had married J. B. Rogers in the state of Georgia but that after she was readmitted she and her husband were married over unier the laws of the Cherokee Nation as shown by marriage certificate and sworn testimony of the signers of his petition and the man who procured the license and they moved to and made permanent ~~home~~ settlement in the Cherokee Nation and have always retained their property and stock, farm and farming implements in the Cherokee Nation since that date and were permanently located here when the Act of Congress of date June 28, 1898 was passed. They were out of the Cherokee Nation two or perhaps three years in the state of Georgia but during this period they had their farm, stock, farming tools and machinery and other clongings in the Cherokee Nation, and collected their rents each year from their farms and personally superintended them each year.

Argument.

That applicant, Florence Rogers, was duly admitted, there can be no doubt; that she and J. B. Rogers were re-married according to the Cherokee Law is equally certain as the certified copy of their marriage certificate from the records of the Clerk's office of Tahlequah District, Cherokee Nation

proves as the record would have not been made by the clerk unless the license had been granted procured under Cherokee Law and they had not been re-married in accordance with said law- Section 664 Cherokee Laws of 1892 which reads as follows: "Every person performing the marriage ceremony, under the authority of a license provided for herein, shall be required to attach a certificate of marriage to the back of the license, and return it to the person xhs in whose behalf it was issued, who shall within thirty days therefrom place the same in the hands of the District Clerk, whose duty it shall be to record the same and return it to the owner." Hence the need of Clerk.

Then they would not have been married again if not for the requirements of the Cherokee Law to make J. B. Rogers a citizen. The marriage in Georgia would have been sufficient for all other purposes. Then the testimony of O. L. Wyly, who was present when the license was procured and the testimony of J. T. Cunningham, one of the signers of his petition, shows conclusively that all the requirements of the Cherokee Law was fully complied with to make him a citizen by inter-marriage. All this proof b came competent after the loss of the license was shown as it is shown in the record. Then the next question that comes up in this case is the question of whether they ever forfieted their rights thus acquired by re-admission and re-marriage. The record in this case shows that they moved here at the time they were re-admitted and remarried, settled and improved a farm, stocked it and bought farming machinery and tools and have held them and collected rents from the farm in the Cherokee Nation ever since that date, and yet while they were absent part of the time in the state of Georgia they always held their property here and personally collected the rents and personally supervised it, each year from that date until the present

time. Hence I submit that they have not forfieted their rights for the reason that under Section 2 Art. 1 of the Constitution of the Cherokee Nation which reads as follows "And that, whenever any citizen shall remove with his effects out of the limits of the Cherokee Nation, and becomes a citizen of any other government, all his rights and privileges as a citizen of this Nation shall cease," they were citizens of the Cherokee Nation and no forfieture could be declared unless they had left the Cherokee Nation with all their effects and belongings and became citizens of the state of Georgia which was not done in this case. The record is undisputed, that they had all their property here in the Cherokee Nation and they did not move away with their effects and become citizens of any other government. Hence under the Cherokee Constitution above quoted they never forfieted their citizenship and any law of the Cherokee Council declaring a forfieture otherwise is unconstitutional and void. The Cherokee Council is especially prohibited from passing any such act under Art. III, Sec. 14 of the Constitution of the Cherokee Nation page 16 Complied Laws of 1892 which reads as follows:" The National Council shall have power to make all laws and regulations which they shall deem necessary and proper for the good of the Cherokee Nation, which shall not be contrary to this Constitution." Assistant Attorney General Little rendered an opinion on September 10, 1896 which was approved by D. M. Francis, secretary of the Interior in which he held " That the provisions of the Cherokee Law and Constitution relative to the loss of citizenship by reason of absence from the Nation is in contravention of the Laws of the United States and was absolutely rendered of no effect by the Act of Congress of February 8, 1887" I respectfully refer your Honorable Commission to this opinion. I do not go this far but I do contend that under

the Constitution of the Cherokee Nation sets forth the way and the only way that a forfieture could be worked to these applicants and they do not come within its terms to work a forfieture. They were here and have been here ever since long before the passage of the Act of Congress of June 28, 1898, living on the farm that they had owned, held and controlled ever since the date of their readmission and remarriage. Hence I submit that they should be enrolled.

Respectfully submitted.

Wm. P. Thompson

Atty. for Applicant.

No. 220

In the matter of the application of Florence Rogers and J. B. Rogers for enrollment as citizens of the Choctaw Nation

Brief of Applicants

Wm. O. Thompson
Atty. for Applicants

Cherokee D-820.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
---o---

In the matter of the application for the enrollment of Florence S. Rogers as a citizen by blood, and of Job B. Rogers as a citizen by intermarriage of the Cherokee Nation.
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D E C I S I O N.

--:o:--

The record in this case shows that on November 19, 1900, Florence S. Rogers appeared before the Commission at Chelsea, Indian Territory, and made application for the enrollment of herself as a citizen by blood, and for the enrollment of her husband, Job B. Rogers, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 25, 1901, and on March 10, 1902.

The evidence shows that Job B. Rogers, a white man, and Florence S. Rogers, a citizen of the Cherokee Nation, admitted to citizenship in said Nation by the duly constituted authorities thereof on September 21, 1887, were lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on September 25, 1889. It further appears that, prior to their marriage in accordance with Cherokee law, the applicants had formerly been married in accordance with United States law. Florence S. Rogers is identified on the Cherokee Strip Payment Roll of 1894.

The evidence further shows that she has resided continuously in the Cherokee Nation from the date of her admission to citizenship up to and including the date of this application.

It is further shown by the evidence that, subsequent to the date of the application herein and prior to September 1, 1902, Job B. Rogers died.

It is the opinion of this Commission that Florence S. Rogers should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is, therefore, so ordered.

It is further ordered by this Commission that the application for the enrollment of Job B. Rogers as a citizen by intermarriage of the Cherokee Nation be, and the same is hereby, dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this JAN 30 1903

D820

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 23 1902

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Florence S. Rogers,

Chelsea, Indian Territory.

Madam:

You are hereby notified that the application of yourself and husband, Job B Rogers for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certified copy of your marriage license.

Copy to Wm. P. Thompson,
Attorney,
Vinita, I. T.

Yours truly,

Commissioner in Charge.

Cherokee D. 880
Register

D820

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 13 1902

COPY. Cherokee D-220

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Florence S. Rogers for the enrollment of herself as a citizen by blood, and dismissing her application for the enrollment of her husband, Job B. Rogers, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-6178

COPY.

Cherokee D-320.

Muskogee, Indian Territory, February 20, 1903.

W. P. Thompson,
Attorney for Florence S. Rogers, et al.,
Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Florence S. Rogers for the enrollment of herself as a citizen by blood of the Cherokee Nation, and dismissing her application for the enrollment of her husband, Joh B. Rogers, as a citizen by intermarriage of said Nation.

Respectfully,

Acting Chairman.

Enc. E-6.
Register.

COPY.

Cherokee D-220.

Muskogee, Indian Territory, February 20, 1903.

Florence S. Rogers,

Chelsea, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, and dismissing your application for the enrollment of your husband, Job B. Rogers, as a citizen by intermarriage of said Nation.

Respectfully,

Chairman.

Enc. D-6.

Register.

Cher 10126

Richard A. Clark

Trans. from D 823

Cher 10126

R.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Chelsea, I.T November 19th, 1900.

IN THE MATTER OF THE APPLICATION OF RICHARD A CLARKE FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND CHILDREN, AS CHEROKEE CITIZENS.

The said Richard A. Clarke, being sworn and by Commissioner C. R. Breckinridge, was examined by the Commission and testified as follows:

Q What is your name? A Richard A. Clarke.
Q How old are you Mr. Clarke? A Fifty-two.
Q What is your post office address? A Chelsea.
Q Are you a Cherokee citizen by blood? A No, sir.
Q By intermarriage? A Yes, sir.
Q For whom do you make application? A For myself and family.
Q Yourself, wife, and how many children? A I have got five children, but one of them is married.
Q Just those unmarried and under twenty-one years of age. A Yes, sir.
Q Four? A Yes, sir, four.
Q How long have you resided in the Cherokee Nation? A Since 1889.
Q Have you been outside the Nation for any purpose within the past three years, except for the purpose of transacting business? A Yes, sir; I have myself. I have been out at work. I am one of the engineers on the Illinois Central road.
Q What is the name of your father? A My father--William.
Q Is your father living? A No, sir.
Q What is the name of your mother? A Mary.
Q Is she living? A No, sir.
Q Your parents were never recognized as citizens of the Cherokee Nation? A No, sir.
Q What is the name of your wife? A Emily Lea.
Q Is she living? A Yes, sir.
Q How old is she? A Fifty-two, I believe, or will be the 19th of January.
Q How long has she resided in the Cherokee Nation? A She was born here.
Q How long did she live here before she removed from the Nation? A I think she was about six years old.
Q When she removed? A Yes, sir.
Q Has she lived here any time since then? A Yes, sir.
Q When did she return to the Cherokee Nation? A In 1888 or 1889.
Q She has lived here continuously since that time? A Yes, that has been her home.
Q She has actually resided here? A Yes, sir; she has been out to work but since that time. She has not been in the Nation all the time, however.
Q Does she own property here in the Cherokee Nation? A Yes, sir.
Q Does she live on that property? A No, sir; she lives in Chelsea.
Q Does the property consist of a farm? A Yes, sir.
Q Does she derive any benefits from that farm in revenue or rents? A Yes, sir.
Q What is the name of her father? A James Armstrong.Lee.
Q Is he living? A No, sir.
Q Was he a Cherokee? A No, sir.

Q What was the name of her mother?
A Jane Walker.
Q Is she living? A No, sir.
Q Was she a Cherokee? A Yes, sir.
Q Did her parents always live in the Cherokee Nation? A I think not sir.
Q Do you know whether your wife's name is on the roll of 1880? A I do not know, sir. I know that when I was married at Fort Gibson in 1889 I sent a certificate to the Executive Department.
Q When were you married to her? A In 1889.
Q Have you any evidence of your marriage? A I have.
THE COMMISSION: The applicant presents a certified copy of marriage license authorizing the marriage of Richard A. Clarke and Miss Emily Lea, a citizen of the Cherokee Nation, said license was issued the 11th day of October 1889 by T Jay Thornton, Clerk Illinois District, and the certificate shows that said marriage was consummated by T. Jay Thornton on the 11th day of October, 1889. This document is filed herewith.
Q You have lived with your wife continuously since that time? A Yes, sir.
Q Were you ever married before? A No, sir.
Q Was she ever married before? A No, sir.
Q What is the name of your oldest child under twenty-one, and unmarried? A The oldest unmarried is Sarah.
Q Has she any middle name? A Sarah Emily Ross.
Q Sarah E. R. Clarke, is it? A Yes, sir.
Q How old is she? A Seventeen.
Q What is the name of the next child? A Lucy Clarke. Lucy C. Clarke.
Q How old is she? A Fifteen.
Q What is the name of the next child? A Addie C.
Q How old? A Twelve.
Q The next child? A Emily L.
Q How old? A Ten.
Q That is all, is it? A Yes, sir.
Q These children are all alive and living with you at the present time? A Yes, sir.
Q They are all your children by your present wife? A Yes, sir. I lost one.
Q Was your wife ever admitted to citizenship by an Act of the Cherokee National Council or Commission on Citizenship? A By the Council.
Q Have you any evidence of that fact? A I have.
Q What is the name of your oldest child? A Mary A.
Q Is Wallace H. living or dead? A Dead.
THE COMMISSION: The applicant presents a certified copy of an Act of the National Council of the Cherokee Nation readmitting sundry persons to citizenship in the Cherokee Nation, among whom appears the name of Emily Clarke. Is the Emily Clarke mentioned in this document, your wife? A Yes, sir.
THE COMMISSION: The document also admits Sarah E. R. Lucy C. and Addie C. Clarke.
Q Are the three children just mentioned your children? A Yes, sir.
THE COMMISSION: These parties were admitted to citizenship on the 23rd day of November, 1888. The Act was approved by J. B. Mayes, principal chief of the Cherokee Nation.
Q What was the exact date ofyour return to the Cherokee Nation, Mr. Clarke? A After the passage of this Act?
Q Yes, sir. A It was just a few days before I was married. I cannot state the exact date.

Q You were married in October? A Yes, sir.

Q Your wife and children have made their home here continuously since their return to the Cherokee Nation in 1869? A Yes, sir.

Q They hve never made their home any other place? A No, sir. They hve been out to see me in Tennessee, but they never madd their home there.

Q Did they remain for any length of time? A I don't remember the exact time.

Q I mean a month or two or three years. Did they remain as long as two or three years at a time? A I think they did.

Q Have you ever voted in Tennessee since you were readmitted to citizenship, or since you were married in accordance with the Cherokee laws? A No, sir. I have only voted in the Cherokee Nation since then.

Q You have never exercised the right of sufferage outside of the Cherokee Nation? A I hve not.

Q Did your wife and children draw strip money in 1894? A Yes, sir.

Q Did their names appear upon the census roll of 1896? A Yes, sir. I never have been out of the Cherokee Nation more than twelve months at a time myself. I am a locomative engineer, and I have to be at my work.

Q When your family came to see you in Tennessee did they keep house there at that time? A No, sir; they boarded.

Q Their personal effects were left here in the Cherokee Nation were they? A Yes, sir. I kept house part of the time, and boarded part of the time. But my folks were here. My wife has been living here in Chelsea about four or five years.

(Examination by Mr. Cale Starr, Cherokee Representative),

Q What property did you have here during this time, after you had married? A I had a place on Barnard, and I have three places down below Catoosa.

Q Did your wife live at one of the places as her home? A Yes, sir; I have got furniture at my place there at Catoosa. I have got the place recorded on the book of improvements, and I have a place in Illinois district recorded.

Q Have you had your places since 1880 or 1889? A I bought my place in Illinois District the 29th day of November, 1899.

Q Is it not a fact that you live in the State, and that your wife comes back here on a visit to look after the property once in a while? A No, sir.

Q Have you owned that place in Illine a district ever since 1889? A Yes, sir. I transferred it to my daughter, which the records show.

Q Were you enrolled in 1896? A I am not sure whether I was or not. I did not enroll myself.

Q You were not here at that time? A No, sir; I was at work

1896 Roll, page 139, No 1216, Emily Clark, Cooweescoowee District.

1896 Roll, page 139, No. 1218, Sarah E. E. Clark, Cooweescoowee District

1896 Roll, page 139, No. 1219, Lucy C. Clark, Cooweescoowee District.

1896 Roll, page 139, No. 1220, Addie P. Clark, Cooweescoowee District.

1896 Roll, page 139, No. 1221, Emily L. Clark, Cooweescoowee District.

THE COMMISSION: The applicant applies for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife and four children as citizens by blood of the Cherokee Nation. He produces satisfactory proof as to his marriage in accordance with the laws and customs of the Cherokee Nation on the 11th day of October 1886. He has lived with his wife continuously since that

time. He is not identified upon the census roll of 1896. He did so produces a certified copy of an act of the Cherokee National Council admitting his wife and his three elder children to citizenship in the Cherokee Nation on the 23rd day of November, 1888. He avers that he removed to the Cherokee Nation in 1889, and has made it his home continuously since that time. He is at present working in the states as a railway engineer on the Illinois Central railway. He avers that his wife and children have visited him from time to time, and have remained probably as long as three years at one time, but that they have always maintained their home here in the Cherokee Nation. His wife and his four children are identified upon the census roll of 1896 as native Cherokees. They will be listed for enrollment as citizens by blood of the Cherokee Nation. For the reason that the applicant is at present engaged at work in the States, and for the further reason that his family have from time to time visited him, and remained as long as two or three years before returning to the Cherokee Nation, he, together with his family, will be for the present listed upon what is known as a doubtful card, and when final judgment is rendered in their case, he will be notified in writing of the decision of the Commission at his present post office address.

The undersigned being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

W. J. Rankin

Subscribed and sworn to before me this 20th day of November 1906.

C. R. Breece

Commissioner.

Exhibit 86

DEPARTMENT
COMMISSION TO
FILED
NOV 19 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

52

Dis. NOV 10 1900 1900.

Name Richard A. Clark Adam 35

District ... Year 15 Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ... Doubtful

Married under what law ... Date of marriage ...

License 52 Certificate ...

Wife's name ...

District COOWEESCOOWEE Year 1896 Page 131 No. 1216

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ...

Names of Children:

James G. R. Clark	Dist. COOWEESCOOWEE	Year 1896	Page 131	No. 1215	Age 17
Lucy A. "	Dist. COOWEESCOOWEE	Year 1896	Page 131	No. 1219	Age 15
5 Addie A. "	Dist. COOWEESCOOWEE	Year 1896	Page 131	No. 1220	Age 12
6 Emily F. "	Dist. COOWEESCOOWEE	Year 1896	Page 131	No. 1221	Age 10
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Doubtful

200, Wife and Minor Children by Clark

Minors of 1896 roll as "Clark"

"R"

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHELSEA, I.T., NOV. 20th, 1900.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE APPLICATION OF RICHARD A. CLARK AND OTHERS:

Charles M. Poole, appearing before the Commission, and being sworn by Notary Public, Cale Starr, testified as follows:

By the Commission:
Q What is your full name please? A Charles M. Poole.
Q What is your age? A Forty one.
Q What is your Postoffice address? A Chelsea.
Q Are you acquainted with Richard A. Clark? A Yes sir.
Q How long have you known him? A Since December, 1896.
Q Were you acquainted with his wife, Emily L. Clark? A Yes sir.
Q How long have you known her? A Since the same time.
Q Where have they been living since you have known them?
A The family has lived here (Chelsea) nearly ever since then and Mr. Clark has been here at various [redacted] times three or four times a year since then.
Q His family has actually resided here in Chelsea since you knew them in 1896? A Yes sir.
Q What is Mr. Clark's business? A He is a railroad engineer
Q And that takes him out of the Nation? A Yes sir.
Q Has Mr. Clark returned to Chelsea as often as two or three times a year since you learned to know him? A Yes sir.
Q Is Mr. Clark's wife recognized here by the citizens of Chelsea as an actual resident of this town? A Yes sir.
Q Does she own any property here that you know of? A No sir.
Q Do you know whether or not she has been in Tennessee for any length of time since you have known her, in 1896? I do not think she has been out of the town since then: I have rented them a house for the last three years myself.

By Mr. Cale Starr, Cherokee Represenative:
Q Do you know where Mrs. Clark and her children actually lived before June 1st, 1895? A No sir, I do not.
Q They have been permanently located in the Cherokee Nation since 1896? A Yes sir.
Q This has actually been their home since that time? A Yes sir.

By the Commission:
Q Do you know of your own knowledge that Mr. Clark has ever voted in the Cherokee Nation, as a citizen of the Cherokee Nation?
A Yes sir.

J. P. Drake, appearing before the Commission, and being sworn by Notary Public, Cale Starr, testified as follows:
By the Commission:
Q What is your name? A J. P. Drake.
Q How old are you? A Fifty six.
Q What is your Postoffice address? A Chelsea.
Q Are you acquainted with Richard A. Clark? A Yes sir.
Q How long have you known him? A Several years: I have been better acquainted with him since he has been here at Chelsea the last four years.
Q Are you acquainted with his wife, Emily L. Clark? A Yes sir.
Q Have you known her for the same length of time, or did you know her before that time? A I met her before she came here to live: She was living at Ft. Gibson, or near there.
Q What business is Mr. Clark in? A Engineer.
Q His work carries him from the Cherokee Nation? A Yes sir.
Q Do you know of your own personal knowledge that Mr. Clark's family have been actual residents of the Cherokee Nation since you have known them? A Yes sir! They have been residents of this town ever since they moved here.

Q Do you know whether they were actual residents of the Cherokee Nation on the 5th day of June, 1896? A I do not.
Q Did you know them at that time? A I really do not remember when I did get acquainted with Mrs. Clark: I had known of them a long time before I saw them down here at Ft. Gibson. I knew they were here in the country, because Mrs. Clark and my wife are cousins, and that is the way I found out they were here.
Q How often does Mr. Clark return to the Cherokee Nation?
A I think he is here three or four times a year.
Q Do you know whether he has ever removed his family from the Cherokee Nation? A I do not think he has.
Q He owns property here, does he? A He owns a farm close to town here: I suppose two miles from this place.
Q Have you ever heard of his family being spoken of as non residents of the Cherokee Nation? A No sir.

By Mr. Cale Starr, Cherokee Representative:
Q How long have you known Mr. Clark and his family? A What I testified a while ago: I met Mrs. Clark before they moved here, several years ago. I remember meeting him at Claremore, but I do not remember what year.
Q When you say that you met him before he moved here, where do you mean he moved from? It was my understanding that they were living at Ft. Gibson, or near Ft. Gibson.
Q Do you know how long he lived near Ft. Gibson before he moved to this place? A No sir, I do not.
Q Mrs. Clark has actually been a resident of the Cherokee Nation during all the time you have known her? A Yes sir.
Q Since 1896; continuously? A Yes sir; I do not think that she has ever been out of the town.

By Commission:
Q What relation do you bear, if any, to Mr. Clark's wife?
A Not any myself.
Q Does Mrs. Clark bear any relation to your wife? A Yes sir, she is a first cousin of my wife's.

B. D. Pennington, appearing before the Commission, and being sworn by Notary Public, Cale Starr, testified as follows:

By the Commission:
Q What is your name? A B. D. Pennington.
Q Your age please? A Thirty nine.
Q What is your Postoffice address? A Chelsea.
Q Are you acquainted with Richard A. Clark? A Yes sir.
Q How long have you known him? A Since some time in December, 1896.
Q Where were you living when you learned to know him? A Chelsea.
Q Did he remove to Chelsea at that time? A Some time before that: He traded with me some before that.
Q You are engaged in business here, are you? A Yes sir.
Q Do you know whether Mr. Clark's family has resided continuously in the Cherokee Nation since you have known them? A Yes sir; they have been living here ever since I met them.
Q Do you know where his family was residing on the 5th day of June, 1896? A No sir.
Q Did you know them at that time? A No sir.
Q Have they always been recognized by the people of Chelsea here as residents of the Cherokee Nation? A Yes sir.
Q What business is Mr. Clark engaged in? A Engineer.
Q Does he return to the Cherokee Nation very often during the year? A Probably two or three times during a year.

By Mr. Cale Starr, Cherokee Representative:
Q Have Mrs. Clark and her children resided continuously in the Cherokee Nation since you have known them? A Yes sir.
Q Never had a home out there else? A Not that I know of.

Q Have they ever been out of the Cherokee Nation for any other purpose than to be on a visit for a short time?
A Not that I know of.
Q During all the time you have known them? A No sir.

Richard A. Clark, appearing before the Commission, and being sworn and examined by Cherokee Represenative, Cale Starr, testified as follows:
By Mr. Cale Starr:- Q What is your name? A Richard A. Clark.
Q What is your age? A Fifty two.
Q When did you remove to and permanently locate in the Cherokee Nation? A I moved here in 1889; from Ft. Gibson in November, 1889.
Q Did you buy any property there? A Yes sir.
Q Of what did that property consist? A I will show you.

The applicant produces a certified copy from B. W. Alberty, Assistant Executive Secretary of the Cherokee Nation, showing that on the 29th of November, 1889, the old McCoy Smith place, lying south east of Ft. Gibson was transferred to the applicant by Thomas Walker, T. M. Walker and E. N. Walker, and that the property was transferred to Sarah R. Clark on the 28th day of December 1896, by Richard A. Clark, her father.

By The Commission:
Q Do you want to submit this as evidence? A Yes sir.
The document will be filed herewith.

By Mr. Cale Starr, Cherokee Represenative:
Q Did you live on that place when you bought it? A No sir: I did not live on it: There was no house on it when I bought it, but I built one on it.
Q You built on it and lived there later? A No sir, I did not live on that place at all.
Q Who owns that place now? A My daughter, Sarah. I gave it to her.
Q Did you buy any other property in the Cherokee Nation at that time? A Yes sir.
Q What was that property? A I bought it from Adolphus Crutchfield.
Q What did you buy from Adolphus Crutchfield? A I bought a house and lot, a cabin; nothing but a cabin.
Q Have you owned that property since that time?
A I own it now.
Q Do you own it now? A Yes sir: I own a place out one mile and a half from here, known as the Dickson place.
Q Did you own any property in the Cherokee Nation in 1889?
A Yes sir.
Q What property was that? A The McCoy Smith property.

By the Commission:- That was the property - the McCoy Smith - that you owned, was it? A Yes sir.

By Mr. Cale Starr, C. Rep.
Q Then you have owned property at all times in the Cherokee Nation since 1889? A I have.
Q You removed to and permanently located at Ft. Gibson in 1889?
A Yes sir.
Q Have you had a home for your wife and children in the Cherokee Nation continuously since 1889? A They bought it: I cannot swear that I have continuously sir.
Q Have your wife and children lived in the Cherokee Nation continuously since 1889, with their effects? Lived in the Nation continuously? A Yes sir.
Q Since 1889, with their effects? A No sir: I stated to you before
Q When they went out to visit you, did they take their property with them? A No sir.

Q Left their house hold goods here? A Yes sir: I have had some house hold goods on my place that I bought from Crutchfield for the last nine or ten years, as well as I remember,
Q Then your wife and children have had no other home except this home in the Cherokee Nation during this time, since 1889?
A No sir.

By the Commission: Q Is there any additional statement you want to make in your application? A My wife is here, but three of my children have the small pox, and she can not appear, is the reason I have to represent the family: My children are just coming out from a spell of small pox: I do not think it would be prudent for her to come in the hall.
Q Is that all you want to state, Mr. Clark? A Yes sir.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A R Emanuel

Subscribed and sworn to before me this 21st day of November, 1900.

COMMISSIONER.

B. M. Albert

POOR ORIGINAL -
BEST AVAILABLE COPY

1823

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dead

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B. H. Albert

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
7 1901

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

[redacted]

Re[illegible]ed of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of [redacted] for enrollment as citizens of the Cherokee Nation.

[redacted]

No. [redacted]

Supl.-C.D.#823.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of RICHARD A. CLARK, ET AL/, as citizens of the Cherokee Nation:

Applicant was notified by registered letter February 18, 1902, that his application for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March, 1902. Receipt has been acknowledged of Commission's letter, and the applicant this day, to-wit: the 8th day of March, 1902, appears in person and by his Attorney, D. M. Wisdom, and by agreement the case is taken up for consideration this day.

Mr. J. C. Starr, Cherokee Representative, present.

Commission of Mr. Wisdom: Is there any statement you desire to make relative to the case?

Mr. Wisdom: Well, we simply desire to submit the case on the proof and evidence already filed in the case. We are willing for the case to be submitted for final consideration:

Commission: The attorney for the applicant and representative present of the Cherokee Nation submit the case. The same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted 15 days in which to file a brief , one copy with the Commission and one copy with the representative of the Cherokee Nation.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the proceedings had in this case on above date, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson
Stenographer.

Cherokee D-823.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 9, 1902.

In the matter of the application of Richard A. Clark for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Emily L., and children, Sarah E.R., Lucy C., Addie C., and Emily L. Clark, as citizens by blood of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Richard A. Clark.
Q What is your postoffice? A Chelsea, Indian Territory.
Q How old are you? A Fifty-four.
Q Are you the identical ~~Robert~~ Richard A. Clark who applied to the Commission in November, 1900, for enrollment as a citizen by intermarriage? A Yes sir.
Q You claim your right to enrollment through your wife, Emily L.?
A Yes sir.
Q Is she living at this time? A Yes sir.
Q Your children, Sarah E.R., Lucy C., Addie C. and Emily L. Clark, are living at this time? A Yes sir.
Q Is their postoffice address Chelsea? A Yes sir.
Q When were you married? A The 11th of October, 1889.
Q Were you ever married before you married your present wife? A No sir.
Q Was she ever married before? A No sir.
Q Have you and she lived together continuously since your marriage?
A Yes sir.
Q Were you living together as man and wife on the first day of September, 1902? A Yes sir.
Q And you always made your home in the nation since you were married?
A Yes sir.
Q Has this always been the home of your wife and children? A Yes sir.
Q You are living here at the preset time? A Yes sir.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 6th day of November, 1902.

W. C. Jones
Notary Public.

DEPARTMENT OF THE INTERIOR.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the Matter of the Application of Richard A. Clark for the Enrollment of himself, his wife and children, as citizens of the Cherokee Nation:

BRIEF IN BEHALF OF APPLICANTS.

It would seem that there is not much that is required to be said to support the petition of said applicant.

The Commission sums up the case fairly and presents briefly its salient features. Richard A. Clark is applicant for citizenship by virtue of his intermarriage with a Cherokee woman, whose blood is undisputed, and he has produced satisfactory proof of his marriage in accordance with the laws and customs of the Cherokee Nation, I.T. on the 11th. day of October,1889. This fixes his status as intermarried citizen beyond controversy, and further, he has lived continuously with his wife since the day of his marriage. The applicant, Richard A. Clark produced at the hearing a certified copy of an act of the Cherokee Council admitting his wife and children,viz. Emily Clark, the mother, Sarah E.; Lucy C.; and Addie C. Clark;Emily L. Clark has been born subsequent to said act of admission.

The applicant avers that he removed to the Cherokee Nation in 1889, and has made it his home and that of his family continuously since that time. At the time of his application he was a railway engineer on the Illinois Central Railway, and is still holding such position.

It is admitted that since his admission by act of Council to Cherokee citizenship his family have visited him at different times and remained with him at some length, but always with the purpose of returning to their home in said Nation, whose citizenship neither he nor they ever renounced. Their purpose or intention to return to their home is best proven by the fact that his family did so return and now abide permanently in said Nation.

We respectfully submit that the vocation or calling of Engineer on a Railway demands absence from home and is one of the inevitable incidents of such calling. He cannot remain at home like a farmer and make his living, or do such service as may be required of him by his employer.

It is further in evidence in this case that said Richard A. Clark has never voted or exercised the right of suffgage in the United States since his readmission to citizenship, nor since his marriage according to Cherokee Law and Custom.

Applicant further swears, which is not disputed, that after his marriage aforesaid, that he has owned places or improvements in the Cherokee Nation since 1888 or 1889. He bought his place in Illinois District the 29th. day of November,1889.

His wife and children drew strip money on the roll of 1896. We therefore, insist premises considered, that the said Richard A. Clark is entitled to enrollment by virtue of his intermarriage as a Cherokee citizen.

That in this case, his wife, Emily, and his children, Sarah E. R. Clark. Lucy C. Clark, Addie C. Clark, Emily L. Clark all of Cio-wus-coo-wee District are entitled to enrollment as Cherokee citizens by blood and also entitled to it by virtue of their residence since the readmission of their mother, Emily Clark on the 23rd. day of November 1888 by act of Cherokee Council, and at the same time they were admitted to citizenship.

They also appear with their mother as duly enrolled and drew "strip" money in 1896.

Blood and residence, the two requirments that constitute citizenship have been fully proven by the applicants.

Wisdom & James.

ATTORNEYS FOR APPLICANTS.

Cherokee D #23

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Richard A. Clark as a citizen by intermarriage, and for the enrollment of Emily Lea, Sarah E. R., Lucy C., Addie C. and Emily L. Clark as citizens by blood of the Cherokee Nation.

D E C I S I O N

The record in this case shows that on November 19, 1900, Richard A. Clark appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment of himself as a citizen by intermarriage and for the enrollment of his wife, Emily Lea Clark, and their minor children, Sarah E. R., Lucy C., Addie C. and Emily L. Clark, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Chelsea, Indian Territory, on November 20, 1900, and at Muskogee, Indian Territory, on October 9, 1902.

The evidence shows that Richard A. Clark was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation, on October 11, 1889, to one Emily Lea. It is presumed that said Richard A. Clark and his said wife had been married prior to October 11, 1889, as it appears from the evidence herein that the said Emily Lea, under the name of Emily Clark, together with her three children, Sarah E. R., Lucy C., and Addie C. Clark, by her husband, Richard A. Clark, were readmitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on November 23, 1888. The youngest child, Emily L. Clark, was born in 1890, subsequent to the date of her mother's readmission. All the applicants herein, excepting Richard A. Clark, are identified on the Cherokee Strip payment roll of 1894 and the Cherokee Census roll of 1896.

The evidence further shows that Emily Lea Clark has resided in the Cherokee Nation since the date of her readmission to citizenship; that Richard A. Clark has resided in the Cherokee Nation since the date of his marriage in 1889, and that he and his wife have lived together from the time of their marriage up to and including September 1, 1902. Their children have resided in said Nation all their lives.

It is, therefore, the opinion of this Commission that Richard A. Clark should be enrolled as a citizen by intermarriage, and that his wife Emily Lea Clark, and their minor children, Sarah E. R. Clark, Lucy C. Clark, Addie C. Clark and Emily L. Clark, should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495) and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this JAN 28 1903

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulzie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	253	William H. Burrow	967

Mary Pettit	957
Bettie Mitchell	985
John J. Harrison	998
Jasper N. Bateman	1029
Susan Ballard	1035
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Sealbolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Sealbolt	1508
Charles W. Nettles	1509
Lena Stumpdown	1511
Tom Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1560
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Geng Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora. Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
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Robert K. Wann	4632
Frederick Metzner	4633
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Pigrow L. Jones	4641
Ada Bertholf	4642
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Jane Dougherty	4649
Samuel Francis	4650
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Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
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James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Ratthinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
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Rosalee Hendricks	5278
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Melville B. Baird	5332
James R. Goodall	5356
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James W. Goddard	5417
Dora Cox	5425
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William H. Sutherlin	5484
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Laura Taylor	5494
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William E. Oneal	5506
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Sarah E. Downing	5518
Samantha C. Glass	5524
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Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Rosa M. Sixkiller	5581
Nancy Inlow	5587
Daisey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stanson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
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Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
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Martha A. Parks	5666
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Lucy Bacon	5679
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Elsie Couch	5688
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Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
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Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5735
Juan N. Corn	5736
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Benjamin F. Coffee	5756
Frank McSpadden	5760
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Emma J. Ward	5778
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Ida Wyly	5802
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John D. Merchant 5889
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James H. Brickey 5916
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Albert Crain 5923
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Waddie Hudson 5937
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Edith A. Parris 5943
Addie Hubbard 5949
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John R. W. Brantley 5963
James T. Carroll 5964
Christopher F. Jordan 5965
Minerva E. Stover 5966
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Cornelius P. Potter 5971
Amanda C. Thompson 5972
John M. Rusk 5976
Harrison L. Hughes 5978
Silas B. Dildine 5983
Lewis M. Payne 5985
Nancy Beamer 5988
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Posy F. Buckner 6005
John A. Moreland 6010
Alice Welch 6015
Mary C. Thompson 6022
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William R. Tittle 6030

George C. Duffield 6031
Amelia Reese 6033
Alexander West 6036
John Tootle 6037
Florence G. Langley 6038
John T. Ham 6042
Mary L. Jordan 6048
John W. Bradshaw 6076
James L. Dean 6079
Amanda J. Thompson 6082
Malissa Hubbard 6089
Jane Benge 6111
John D. Ryals 6113
John C. DeLozier 6117
Jessie Willis 6118
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Mary J. Tipton 6126
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Hugh T. Watkins 6163
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Berry Hutchins 6186
Eli Parker 6189
Sarah E. Shaw 6194
Juha Keys 6211
Boon J. Grey 6214
John Grubb 6216
William M. Costephens 6230
Jane Bean 6232
Lillie I. Taylor 6236
Abbie B. Adair 6239
Mack C. Watkins 6246
Robert W. Murray 6261
John G. Petty 6269
Lucinda Poorboy 6279
Sarah Mayes 6286
Henry W. Pyeatt 6300
Isaac A. Wilson 6308
John T. Hall 6310
Edward L. King 6315
Katie Still 6325
Emmer Carlile 6338
Bird Webster 6347
Fannie Morris 6353
Leonard Lee 6357
James R. Miller 6362
James Brackett 6370
Nora Allen 6371
John T. Washington 6373

James J. Snider 6375
William H. Winget 6376
Ida R. Wilkerson 6383
George A. McBride 6385
Matilda Cookson 6387
William A. Fisk 6392
William O. Ames 6394
Thomas Wilkerson 6396
Alice C. Springston 6407
Fanny N. Witt 6413
Lillie M. Adair 6424
Mark F. Matheson 6428
Ida L. Wilson 6431
George E. Marrs 6441
Ulysses S. Reeves 6443
Daniel A. Smith 6447
Henry J. Dawson 6450
Sarah Adair 6452
Ida F. Wilson 6455
Mary E. Taylor 6459
Catherine Henson 6468
Charles C. Fitzsimmons 6471
Mary E. Campbell 6476
Columbus N. Long 6478
Mary Wilkerson 6480
Myrtle Ward 6484
Belle Manus 6499
Martha E. McLain 6508
Mary A. Brown 6517
Marion M. Ballew 6530
Mellie Mayfield 6540
Sarah Blevins 6541
Frank Powell 6542
Georgia Jackson 6546
Leonard S. Simpson 6549
Almira Ussrey 6560
James McInerney 6561
Fannie Carlile 6578
Sadie A. Mayfield 6580
Silas A. Bryan 6581
William S. Martin 6585
Emma J. Thompson 6589
Lydia McDaniel 6593
David W. Lamb 6595
Gus R. Hart 6603
Poca Phillips 6632
Lois E. Daniel 6678
William W. Turner 6689
Lillie B. Blackstone 6714
Mary Lillard 6715

James L. Lee 6717
Rosa Phillips 6723
Kate Brown 6735
Laura B. Barnett 6743
Elizabeth Sanders 6745
William T. Neff 6747
William R. Scott 6751
Laura Fish 6770
Maggie Ketcher 6779
Dora A. McDonald 6783
Rosia B. Willis 6785
Daniel Hubbard 6787
Mary R. Tadpole 6801
Magnus A. McSpadden 6811
Sarah F. Pathkiller 6824
Clora Twist 6845
Mattie M. Welch 6846
Cora Griffin 6850
John S. Hyatt 6853
Jefferson K. Tyner 6855
Flora R. Miller 6859
Lizzie Craig 6872
Jacob C. Johnson 6876
George W. Ware 6897
James B. Deatherage 6901
Lucinda F. Hartness 6943
Frances E. Tehee 6961
James M. Burt 6965
Rady Tipton 6975
Laura Hendricks 6976
Laura V. Smith 6979
Lorenzo C. Darnell 6988
Robert M. Mitchell 7004
William Henry Reeve 7005
James Pyle 7009
Willie Hilderbrand 7015
Alice M. Roberson 7031
Charles Morris 7043
Minerva J. Trent 7051
John H. Keith 7078
Katie E. Ratley 7080
Etta Patrick 7081
Nannie Martin 7090
Rosa B. Harris 7094
Samuel Brown 7100
William H. Turner 7101
Florence Mayes 7104
Maggie McCoy 7112
Mary Belle Cordry 7113
Benjamin Haner 7119

James Maher 7128
Terry A Parkinson 7146
Cora L Hanks 7147
Otto J Zufall 7149
Rufus M Newman 7155
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Ada Pharis 7180
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Philip Shultz 7210
Hester A Miller 7212
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Charles D England 7512
May Cochran 7544
Rebecca Oglesby 7549

Robert B Collins 7556
Nancy I. Brown 7579
Mary B Walkingstick 7642
Robert T. Kelleam 7653
Mollie Morton 7797
Mattie Girty 8006
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Ida McCoy 8417
Rosie Foreman 8903
Annie Jackson 9034
Margaret T Langley 9092
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Mary J Christy 9460
Malinda Seabolt 9462
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Alexander B Clapp 9502
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Virgil A. Wiltshire 9505
Joshua K Carr 9510
Herbert Kneeland 9518
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Thomas J. Ritter 9522
Martha Baldridge 9529
James R Poindexter 9535
Maud Foreman 9539
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George E. Watkins 9552
Florence Henry 9553
Jesse H. Johnson 9560
Lydia B. Barger 9561
Mary Jane Thomas 9562
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Laura McCrary 9566
Joel D. Smith 9568
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Ella Cornwell 9598
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Woodrow Hadley 9612
William T. Gregory 9613
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Edith B. Pheasant 9935
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Lucinda Spriggs 9937
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John W. Harris 9949
Hannah Raper 9942
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Youra F. Waybourn 9946
Louisa J. Taylor 9947
William M. Evans 9948
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May F. Chambers 9950
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Zeno M. Cox 9964
Jerusha E. Blair 9965
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Ida Cushman 9992
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Walter H. Talley 9997
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Clara V. Ward 10002
Stephen W. Pittsenberger 10005
Mary E. Palmour 10008
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Nellie Fields 10013
Sarah A. Dawes 10015
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Jesse Talbert 10020
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Ida L. White	10026
Addie B. Miller	10027
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Kate Craig	10033
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Solomon Copeland	10058
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Wiley B. McElhaney	10062
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James R. Stout	10072
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Nettie Swift	10078
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Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
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Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
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Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
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John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Hefferman	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
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Minnie Shutt	10139
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John A. Hood	10143
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Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10183
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
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Samuel Shadix	10206
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Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	458
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	891
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Gunn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha J. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Modding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Morris	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Pricilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turpitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2607
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert C. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William S. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Scroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKenzie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louizer Ossowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3048
Almedie Ross	D	3052
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3058
Alice Simco	D	3059
George O. Wallace	D	3060
Fannie Clay	D	3078
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Mizer	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Phariss	D	3171	Stephen Hazlett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREVARD.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Richard A. Clark,

Chelsea, Indian Territory.

Sir:

You are hereby notified that the application of yourself, wife and four minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman
Commissioner in Charge.

Cherokee D. 823
Register

Cherokee D-823.

COPY.

Muskogee, Indian Territory, January 29, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Richard L. Clark for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Emily Lea Clark, and his four minor children, Sarah E. R., Lucy C., Addie C. and Emily L. Clark, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. D-S.

Cherokee D-313.

Muskogee, Indian Territory, February 20, 1903.

Richard A. Clark,

Chelsea, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Emily L. Clark, and your four minor children, Sarah E. R., Lucy C., Addie C. and Emily L. Clark, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. H-19.

Register.

Cherokee D-923.

Muskogee, Indian Territory, February 20, 1903.

D. M. Wisdom,

Attorney for Richard A. Clark, et al.,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 28, 1903, granting the application of Richard A. Clark for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Emily L. Clark, and his four minor children, Sarah E. R., Lucy C., Addie C. and Emily L. Clark, as citizens by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. H-20.

Register.

Cherokee
28216

1907.

Muskogee, Indian Territory, January [illegible]

Richard A. Clark,
Chelsea, Indian Territory.

Dear Sir:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Commissioner.

Incl. Decn.----

To reply
10126.

Muskogee, Indian Territory, March 14, 1903.

Richard A. Clark,

Chelsea, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to [illegible] Five Civilized Tribes, dated January 18, 1903 [illegible] rejecting your application for enrollment as a citizen by intermarriage of [illegible] Nation was affirmed by the Department January 28, 1903.

Respectfully,

[illegible]

RJC

Commissioner.

Cherokee
et al.

Muskogee, Indian Territory, March 14, 1907.

Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.C-100
LWC

Cher 10127

Mollie Bates

Trans. from D870

Cher 10127

D.870.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T.,December 1,1900.

In the matter of the application of Mollie Bates for the enrollment of herself and children as Cherokee citizens; being sworn and examined by Commissioner Needles she testified as follows:

Q What is your name? A Mollie Bates.
Q No middle name? A No, sir.
Q How old are you? A I am 32 years old.
Q What is your postoffice? A Tahlequah.
Q In what district do you live? A Tahlequah.
Q Are you a recognized citizen of the Cherokee Nation?
A Yes, sir.
Q Who do you want to enroll? A Myself and four children.
Q Are you married? A Yes, sir.
Q What is your husband's name? A Walter Bates.
Q Is he a citizen by blood? A No, sir.
Q What are the names of your children? A Carrie Sanders.
Q How old is Carrie? A She is 17.
Q What is the next child's name? A Nicholas Sanders.
Q How old is Nicholas? A 15.
Q The next child? A Fannie Bates.
Q How old is Fannie? A She is 5 years old.
Q The next child? A Beulah Bates.
Q How old is Beulah? A 3.
Q Have you any affidavit made out of the birth of Beulah?
A No, sir.
Q What was the father's name of Carrie Sanders? A Nicholas Sanders.
Q Is he living? A No, sir, he is dead.
Q He was your first husband? A Yes, sir.
Q What was your name in 1880? A My name was Tankeley: that was my first name.
Q What is the date of your first marriage, to Sanders? (No reply)
Q In what district were you in 1880? A Flint District.
Q What was your father's name? A A. H. Tankeley.
Q And your mother's name? A Emma Tankeley.
Q They both dead? A No, sir, my father is living.
Q Is he a citizen by blood? A Yes, sir.
1880 roll examined for applicant, and name not found.
Q You know why your name aint on the roll of 1880?
A No, sir, I don't.
1896 roll page 1134 #85 Mollie Bates Tahlequah District.
1896 roll page 1134 #2882 Carrie Sanders Tahlequah Dist.
1896 roll page 1134 #2883 Nick Sanders Tahlequah District.
1896 roll page 1134 #88 Fannie Bates Tahlequah District.
Q Have you always lived in the Cherokee Nation? A Ever since I was about a year old.
Q Who was your mother? A She was a Nicks.
Q Is Ella Tankeley your own sister? A Yes, sir.
Q Same father and same mother? A Yes, sir.
Q Where were you born? A I was born in the state of Georgia, and my parents came to this country when I was about a year old.
Q And you have been living here ever since? A Yes, sir.
Q Are you living near your father? A I live in Tahlequah here and my father lives at Pryor Creek.
Applicant: My mother was dead when the 1880 roll was made.

Com'r Needles: The name of Mollie Bates appears upon the census roll of 1896; she avers that she is a Cherokee citizen by blood, but her name is not found upon the authenticated roll of 1880, neither is the name of her mother; the name of her sister,

Mollie is found upon the authenticated roll of 1896: she avers that she was first married to one Nicholas Sanders, by whom she has 2 children, Carrie Sanders and Nicholas Sanders, whose names appear upon the census roll of 1896; by marriage to one Walter Bates she has 2 children, Fannie and Beulah Bates, and the name of Fannie appears upon the census roll of 1896; the name of Beulah does not appear upon the census roll of 1896, having been born after the same was compiled, and she presents no satisfactory proof of birth they all being duly identified, and make satisfactory proof as to their residence, but no satisfactory proof as to their citizenship, consequently final judgment as to the enrollment of said Mollie Bates and her said children will be suspended, and their names will be placed upon a doubtful card; it will also be necessary for her to file with this Commission satisfactory proof as to the birth of her youngest child, Beulah.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) M. D. Green.

Subscribed and sworn to before me this 1st day of December, 1900.

(Signed) T. B. Needles,

Commissioner.

Arthur S. Groninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur S. Groninger

Subscribed and sworn to before me this 10th day of January, 1902.

Commissioner.

CHEROKEE BY BLOOD AND FREEDMEN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 1 1900

ACTING CHAIRMAN

TAHLEQUAH.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC -1 1900 1900.

Name Tahlequah I.T.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

1 Wife's name Mollie Bates.

District TAHLEQUAH. Year 1896 Page 1137 No. 85

Citizen by blood Yes Mother's citizenship A. H. Faulkner C-L

Intermarried citizen No Emma " " C-L

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Carrie Sanders Dist. " Year 1896 Page 1236 No. 2852 Age 17

3 Nicholas " Dist. " Year " Page 1236 No. 2853 Age 15

4 Fannie Bates Dist. " Year " Page 1134 No. 86 Age 5

5 Beulah " Dist. Year " Page No. Age 3

Dist. Year Page No. Age

Father #2 & 3 Dist. Nicholas Patterson Year Page No. Age C-L

Father 4 & 5 Dist. Walter Bates Year Page No. Age C-L

Dist. Year Page No. Age

Dist. Year Page No. Age

3 On 1896 roll as Nick Sanders
5 Affidavit to be supplied.

#1 Doesnot appear on 1880 roll

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 13, 1900.

In the matter of the application of Augustus H. Tankersley for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Needles he testified as follows:

Q What is your name? A Augustus H. Tankersley.
Q How old are you? A 53
Q What is your post-office address? A Pryor Creek.
Q In what district do you live? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir
Q By blood? A Yes sir.
Q Who do you want to enroll? A Myself and wife.
Q What is the name of your wife? A Maggie.
Q Is she a citizen by blood? A Yes sir
Q What is her age? A 26 or 7 I reckon.
Q What was her name before you married her? A Rider.
Q When did you marry her? A In 1895, August 8th.
Q What are the names of your children? Your oldest child at home? A Henry Augustus.
Q What is his age? A 4 years old.
Q The next child? A Alex.
Q Any middle name? A No.
Q How old is Alex? A A year old.
Q That all? A That's all.
1896 roll page 273 #4926 A.H.Tankaley Coowescoowee
1896 roll page 273 #4927 Maggie Tankeley Coowescoowee
1896 roll page 273 #4930 H.A.Tankaley
1880 roll page 487 #1430 Maggie Rider Goingsnake, native Cher.
Q Have you always lived in the Cherokee Nation? A No sir
Q For how long? A Thirty years.

Examined by Cherokee Rep've W.W.Hastings:

Q Where were you living in 1880? A I was living in this District, I was carrying the mail to Evansville.
Q Have you lived here ever since 871, from the time you were admitted? A Yes sir.
Q Continuously all the time? A All the time; Oh sometimes I would stay at the other end of the line a week.

By Com'r Needles:

Q Why wasn't your name on the roll of 1880? A I don't remember. My first wife died in 1877, and part of my children were in Canny and one in Flint, and that's all the one that was enrolled.
Q How many times have you been married? A Twice.
Q Was your first wife dead before you married your present wife? A Yes sir.
Q Are you her first husband? A Yes sir.
Q You been living together continuously since your marriage.
A Yes sir.
Q Are these children alive and living with you at this time
A Yes sir.

Com'r Needles: The name of Augustus H. Tankersley appears upon the census roll of 1896, and he presents satisfactory proof of his admission to Cherokee citizenship in 1871; he also presents satisfactory proof of marriage to one Maggie Rider, a Cherokee citizen by blood, on the 8th day of August 1895; he also presents satisfactory proof of birth as to his youngest child Alex, whose name does

not appear upon the census roll of 1896, having been born since the same was compiled; his proof as to residence is satisfactory consequently said Augustus H. Tankersley and his wife Maggie, whose name is found upon the census roll of 1896 as Maggie Tankersley and upon the 1880 roll as Maggie Rider, and his children Henry and Alex will be duly listed for enrollment as Cherokee citizens by blood.

M.D.Green, being first duly swor, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony andproceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this December 14,1900.

Commissioner.

1012

Marriage License.

Cherokee Nation,

Tahlequah District.

To any person legally authorized-greeting:

You are hereby authorized to join in the Holy bonds of Matrimony and to celebrate the rites and ceremonies of Marriage between Mr. Walter L.Bates, a citizen of the United States, and Mrs.Mellie Sanders, a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of Office this the 12th day of July, 1894.

T.W.Tieput,

Clk. T.D., C.N.

Tahlequah District,

Indin Teritory, C.N.

I, James A.Orr, Minister, do hereby certify that on the 26th day of July, A.D.1894, I did duly and according to law as commanded in the foregoing License solemnize the rite and publish the banns of Matrimony between the parties therein named.

Witness my hand this 2 day of August, A.D.1894.

Jas.A.Orr,

Minister of the Gospel.

I hereby certify that on this day I have made a record of the above on page 13, Record of Marriages now on file in my office.

T.W.Tieput, Clk.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of Walter L.Bates. D 1012.

Retta Ghiselin

P.T.O. 5127 - D

IN RE

Application for Enrollment of

INFANT CHILD

Beulah Bates

as a citizen of

Choctaw Nation.

Approved DEC 18 1900 190

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 18 1900

[signature]

Card No 2870.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a citizen of the Cherokee Nation.

of Beulah Bates (Here insert name of child), born on the 28th day of July, 1897.

Name of Father: Walter Bates, a citizen of the Cherokee Nation.

Name of Mother: Mollie Bates, a citizen of the Cherokee Nation.

Post-office: Claremore, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mollie Bates, on oath state that I am 32 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Walter Bates, who is a citizen, by adoption of the Cherokee Nation; that a female child was born to me on the 28th day of July, 1897 that said child has been named Beulah Bates; and is now living.

Mollie Bates.

WITNESSES TO MARK (Must be Two Witnesses)

Subscribed and sworn to before me this 6th day of December 1901

D. S. Bagley
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Bettie Rutherford, a Midwife, on oath state that I attended on Mrs. Mollie Bates, wife of Walter Bates, on the 28 day of July, 1897 that there was born to her on said date a Female child; that said child is now living and is said to have been named Beulah Bates

Bettie Rutherford

WITNESSES TO MARK. (Must be Two Witnesses)

Subscribed and sworn to before me this 6th day of December 1901

D. S. Bagley

D.870.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 18, 1900.

In the matter of the application of Mollie Bates for the enrollment of herself and children, also for the enrollment of her husband, WALTER L. BATES, as a Cherokee citizen; being sworn and examined by Commissioner Needles she testified as follows:

Q What is your name? A Mollie Bates.
Q No middle name? A No, sir.
Q How old are you? A I am 32.
Q What is your postoffice address? A Tahlequah.
Q What district do you live in? A Tahlequah District.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q Who do you want to enroll? A Enroll myself and 4 children.
Q Are you married? A Yes, sir.
Q What is your husband's name? A Walter Bates.
Q Is he living? A Yes, sir.
Q Do you apply for his enrollment too? A Yes, sir, I guess so. He is an adopted citizen.
Q Where is he? A He has been sent to prison.
Q How old is he? A He is 35.
Q Have you any certificate of marriage? A Yes, sir.
Q Have you got it with you? A No, sir, I have got it at home.
Q When were you married? A I was married in 1884.
Q To Walter L. Bates? A Yes, sir.
Q What are the names of your children? A Nicholas Sanders.
Q How old is Nicholas? A He is 15.
Q Next child? A Carrie Sanders.
Q How old is Carrie? A She is 17.
Q Name of the next child? A Fannie Bates.
Q How old is Fannie? A 5 years old.
Q Who is the father of Nicholas and Carrie Sanders? A Nicholas Sanders.
Q Is he living? A No, sir, he is dead.
Q Was he your first husband? A Yes, sir.
Q He died before you married Bates? A Yes, sir.
Q What was your name in 1880? A Our names are not on the 1880 roll; my father A.H.Tumbersley left his certificate here.
Q What is the name of your next child? A Beulah.
Q How old is Beulah? A 3 years old.
Q Have you proof of birth as to Beulah? A Yes, sir (Produces papers).

By Cherokee Atty W.W.Hastings:
Q Where were you living in 1880? A I was living at Vandilliam in Tahlequah District.
Q Where were you born? A I was born in Georgia. But I was about a year old when they moved here.
Q You moved here about 70 or 71? A Moved here about '69 I guess; I was just a year old; I was born in 1868.

By Com'r Needles:
Q Did you come here with your father when he came? A Yes, sir.
Q You have been living here ever since? A Yes, sir.

Com'r: The applicant refers to a certified copy of an act of the Cherokee Council filed in the case of her father, A.H. Tumbersley, certifying that A.H.Tumbersley was admitted to citizenship as a Cherokee by blood entitled to all the rights and privileges on Friday morning, April 7, 1871. She also refers to the testimony of her father, Augustus H. Tumbersley, case ____.

NOTE: It is here found that applicant was enrolled a few days ago, and this is taken as supplemental testimony in regard to her.

Q When will your husband be back? A It will be a little over a year I guess.

1896 roll page 1275 #12 Walter L. Bates Tahlequah intermarried.

Q You didn't apply for him the other day? A No, sir.

Q Was your husband married to you in accordance with the laws of the Cherokee Nation? A Yes, sir.

Q He had a regular Cherokee license? A Yes, sir.

Q Have you got them at home? A No, sir, I haven't got them, at home; he sent them back to the clerk's office after we was married, to have them recorded, and never did get them.

Q Do you know whether they are in the clerk's office now or not, have you inquired? A No, sir, I don't know.

Q Did you live with your husband until he was sent to prison?

A Yes, sir.

Q Where is he confined? A At Leavenworth.

Com'r Needles: Mollie Bates is duly identified as the daughter of Augustus H. Tankersley, who was enrolled on card 6579; satisfactory proof has been made as to her citizenship; reference is made to the testimony and certificate of admission filed in the case of her father, 6578, also satisfactory proof has been made as to her residence, consequently the said Mollie Bates and her children Carrie and Nicholas Sanders, and Fannie and Beulah Bates should be regularly listed for enrollment as Cherokee citizens by blood, and their names should be removed from D card 670 to a straight card. No satisfactory proof is presented as to the marriage of herself to Walter Bates, her present husband; her former husband Sanders, being deceased; said Walter Bates is found upon the Census Roll of 1896; upon presentation of satisfactory proof as to the marriage of her to said Walter Bates he will be duly listed for enrollment as a Cherokee citizen by intermarriage, said Walter Bates now being confined in the penitentiary at Ft.Leavenworth, Kansas; said infant Walter Bates will for the present be placed upon doubtful card.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) M. D. Green.

Subscribed and sworn to before me this December 19, 1900.

(Signed) C. R. Breckinridge,

Commissioner.

Arthur G. Creninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Creninger.

Subscribed and sworn to before me this 19th day of January, 1901.

Commissioner.

Supl.-C.D.#870.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 11, 1902.

SUPPLEMENTAL in the matter of the enrollment of MOLLIE BATES, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 19, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commissionat its offices at Muskogee, Indian Territory, on the 11th day of March, 1902, and that on said date she might appear before the Commission either in person or by attorney and an opportunity would be given her to introduce any further testimony affecting her application. Receipt has been acknowledged of Commission's letter. The applicant having this day, to-wit: the 11th day of March, 1902, been called and failing to respond, it is considered that her case is completed and the same will be reported to the Commission for final decision based upon the evidence now of record.

Mr. W. W. Hastings, Cherokee Representative, present.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenograph ic notes thereof.

J. O. Rosson

Chero. D -1012.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 9, 1902.

In the matter of the application of Walter L. Bates for enrollment as a citizen of the Cherokee Nation: he being sworn and examined by the Commission, testified as follows:

The applicant in this case was notified by registered letter February 26, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission on the 14th day of March, 1902, at its offices, in Muskogee, Indian Territory. On said day the case was called and there being no appearances either by the applicant or by his attorney the record in the case was deemed completed.

On March 17th, 1902, there was received from the applicant a letter stating that it was impossible for him to appear before the Commission on the 14th day of March and requesting that he be permitted to introduce further testimony at a later date respecting his application. He this date, the 9th day of April, 1902, appears in person.

Q What is your name? A Walter L. Bates.
Q How old are you? A I will be 34 years old in June.
Q What is your postoffice address? A Tahlequah.
Q You are the husband od Mollie Bates? A Yes sir.
Q She is a Cherokee by blood? A Yes sir.
Q You claim your Right to enrollment by virtue of your marriage to her under Cherokee law, do you? A Yes sir.

There is offered in evidence a license issued by T.W. Triplett, Clerk of Tahlequah District, Cherokee Nation, authorizing the marriage of Walter L. Bates, a citizen of the United States, and Mrs. Mollie Sanders, a citizen of the Cherokee Nation, and a certificate showing that they were united in matrimony by James A. Orr, a Minister of the Gospel, on the 26th day of July, 1894.

Q Was your wife ever married before she married you? A Yes sir.
Q What was the name of her first husband? A Mickey Sanders.
Q Was he dead when you married her? A Yes sir.
Q When this application was made by your wife for your enrollment in 1900, you were in the penitentiary at Leavenworth, Kansas? A Yes sir.
Q When were you sent to the penitentiary? A On the 16th day of September, 1898.
Q From the time of your marriage until the time you were arrested and taken to the jail did you and your wife live together continuously as husband and wife? A Yes sir.
Q When were you released from the penitentiary? A On the 16th day of January last, 1902.
Q Where did you go immediately upon your release? A Come to Tahlequah.
Q Are you now living with your wife? A Yes sir.
Q You began to live with her continuously since January? A Yes sir.
Q Were you ever married before you married her? A No sir.
Q You are living with your wife at this time? A Yes sir.
Q After your marriage in 1894 up until the time of your conviction in 1898 did you make your home in the Cherokee Nation continuously? A Yes sir.
Q And since your release your have been in the Cherokee Nation? A Yes sir, been here ever since.

2- V.L.B.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 9th day of April, 1908.

Notary Public.

Cherokee D-1018.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., October 28, 1902.

In the matter of the application of Walter L. Bates for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Walter L. Bates.
Q How old are you? A Thirty-four years old.
Q What is your postoffice? A Tahlequah.
Q Are you an applicant for enrollment as an intermarried citizen?
A Yes sir.
Q What is your wife's name? A Mollie Bates.
Q Is she living? A Yes sir.
Q Is she a Cherokee by blood? A Yes sir.
Q When were you married to your wife, Mollie Bates? A In '94.
Q Married under a Cherokee license? A Yes sir.
Q Have you filed your license? A Yes sir.
Q Were you ever married before you married, Mollie Bates? A No sir.
Q Was she ever married before her marriage to you? A Yes sir.
Q How many times had she been married when you and she were married?
A Once.
Q What was her first husband's name? A Baker Sanders.
Q Was he living or dead when you and your wife, Mollie, married?
A He was dead.
Q She is your first wife? A Yes sir.
Q You are her second husband? A Yes sir.
Q Have you and she lived together from the time of your marriage up to the present time? A Yes sir.
Q Never have been separated? A No sir, never have been separated at all.
Q You and she living together on the first day of September, 1902, as husband and wife? A Yes sir.
Q Have you lived in the Cherokee Nation all the time since your marriage to your wife, Mollie? A Yes sir.
Q Never lived out of the nation since your marriage? A No sir, never lived out.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 28th day of November, 1902.

[signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Mollie Bates et al. for enrollment as Cherokee citizens, consolidating the applications of:

Mollie Bates et al., ... Cherokee D- 870,

Walter L. Bates, ... D-1012.

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DECISION.

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The record in these cases shows that on December 1, 1900, Mollie Bates appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of herself and for her minor children, Carrie and Nicholas Sanders and Fannie and Beulah Bates, as citizens by blood of the Cherokee Nation. On December 18, 1900, Mollie Bates again appeared before the Commission at Tahlequah, Indian Territory, and renewed her application for herself and children, and also made application for the enrollment of her husband, Walter L. Bates, as a citizen by intermarriage of the Cherokee Nation. Further proceedings were had in the matter of this application at Muskogee, Indian Territory, on April 9, 1902, and on October 28, 1902. A copy of the testimony taken at Tahlequah, Indian Territory, December 13, 1900, in the matter of the application of A. H. Tankersley et al. was filed and made a part of the record herein.

The evidence shows that Mollie Bates is the daughter of one A. H. Tankersley, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on April 7, 1871. Said Mollie Bates was then an infant. She was first married to one Sanders, and upon his death she was married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on July 26, 1894, to Walter L. Bates. Walter L. Bates and his wife, Mollie Bates, are identified on the Cherokee Census Roll of 1896. Carrie and Nicholas Sanders are the children of the principal applicant by her former husband, Sanders, and Fannie and Beulah Bates are the issue of her marriage to Walter L. Bates. The first three are identified on the Cherokee Census Roll of 1896, and Beulah Bates is identified by a birth affidavit, made a part of the record herein.

The evidence further shows that Walter L. Bates has lived with his said wife, Mollie, in the Cherokee Nation from the date of

his marriage to her until his imprisonment, on September 16, 1898. Upon his release, he resumed the marriage relation and continued to live with his said wife, up to and including September 1, 1902. Mollie Bates has resided in the Cherokee Nation continuously for thirty years. The children applicants herein are considered to have lived in the Cherokee Nation all their lives.

It is, therefore, the opinion of this Commission that Mollie Bates, Carrie Sanders, Nicholas Sanders, Fannie Bates and Beulah Bates should be enrolled as citizens by blood, and that Walter L. Bates should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this JAN 30 1903

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 19, 1902.

Mrs. Mollie Bates,

Tahlequah, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and four minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on on the 11 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-870
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

COPY

Cherokee
D-879 & D-1018.

Muskogee, Indian Territory, January 31, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting the application of Nellie Bates for the enrollment of herself and her minor children, Harris and Nicholas Sanders and Fannie and Beulah Bates, as citizens by blood, and for the enrollment of her husband, Walter L. Bates, as a citizen by intermarriage of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,
Acting Chairman.

Enc. D-879.

COPY.

Cherokee D-870.
Cherokee D-1012.

Muskogee, Indian Territory, February 20, 1903.

Mollie Bates,

Tahlequah, Indian Territory.

Dear Madam

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 30, 1903, granting your application for the enrollment of yourself and your four minor children, Carrie Sanders, Nicholas Sanders, Vannie Bates and Beulah Bates, as citizens by blood, and for the enrollment of your husband, Walter L. Bates, as a citizen by intermarriage of the Cherokee nation.

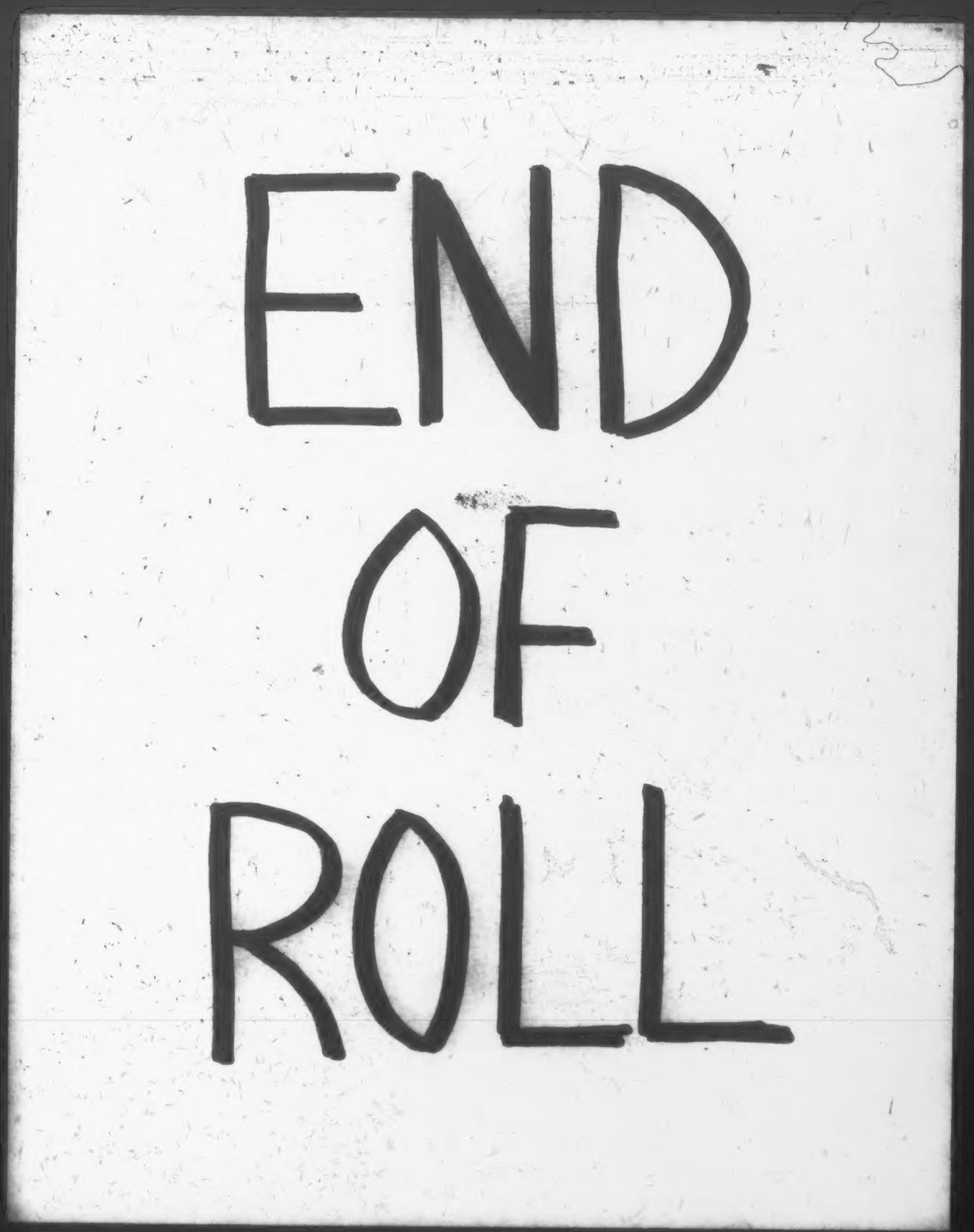
Respectfully,

Tams Bixby

Acting Chairman.

Enc. E-10.
Register.

§ 10


END
OF
ROLL

